

TIPPECANOE COUNTY

RENTAL PROPERTY OWNER AND MANAGER TRAINING PROGRAM



KEEPING ILLEGAL ACTIVITY OUT OF RENTAL PROPERTIES

A practical guide for property owners and managers

2nd Edition, 2010
ONLINE VERSION

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Sponsored by Patrick K. Harrington, Tippecanoe County Prosecutor

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Based on the Landlord Training Program manual originally developed for the City of Portland, Oregon
By Campbell DeLong Resources, Inc.

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We request that any error or significant omissions be noted and forwarded so that corrections can be made in future versions.

NOTE: The manual addresses aspects of property management that may help control and prevent illegal activity on rental property. We have not attempted to address all issues with which rental property owners and managers should be familiar. We have attempted to ensure the material is consistent with law current at the time of publication; however, the law is constantly changing. We urge property owners and managers to keep informed of changes in the law and the evolution of best practices techniques.

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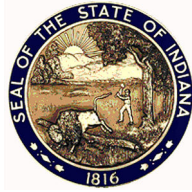
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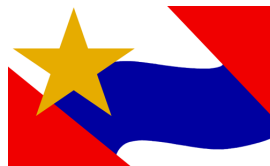
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TIPPECANOE COUNTY
RENTAL PROPERTY OWNER AND MANAGER TRAINING PROGRAM
WETIP HOTLINE *Anonymous Illegal Activity Reporting*
WETIP SCHOOL SAFETY PROGRAM & HOTLINE
ANTI-GANG INITIATIVES



Keeping Illegal Activity Out of Tippecanoe County

Kathryn J. Redd

Project Safe Neighborhoods Anti-Gang Initiatives Director

TIPPECANOE COUNTY PROSECUTOR'S OFFICE

<http://www.tippecanoe.in.gov/PSN/>

Disclaimer

Various parts of this document provide broad descriptions of legal procedure. However, no part of this manual should be regarded as legal advice or considered a replacement of a property owner's responsibility to be familiar with federal, state, and local law. If you need legal advice, seek the services of a competent attorney. In addition, laws change. Information that is accurate at the time of printing may be rendered obsolete by the passage of new laws or revised judicial interpretations of existing law.

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WETIP *HOW IT WORKS*

The informant calls the WeTip Hotline. All calls are anonymous--not just confidential. Confidential means that someone knows your name and promises not to tell, until they are subpoenaed. Anonymous means that nobody knows who you are and there is absolutely no way to find out. We have no taping, tracing or caller ID. We have no way of knowing who the caller is.

The very first thing they hear is "This is the WeTip Crime Hotline, do not give your name, or identify yourself in any way." If at any time the caller starts to identify him or herself, the operator will interrupt telling the caller "I have to disconnect this call, please call back, and speak to another operator." The reason for this is that we absolutely cannot know who is on the other end of the phone line, but we do want the information.

Once the anonymity has been established, the operator takes the caller through a series of about 65 questions. These questions have been developed through the aid of law enforcement and the purpose is to elicit as much information as possible. Many times the caller actually has more information than they realize.

The very last question asked is "If there is an arrest and conviction, are you interested in a reward?" If the answer is yes, the caller is issued a 3-part fictitious code name in addition to their tip number. This is how they will identify themselves to us later. Our rewards are paid anonymously. The caller picks up their cash reward in the city of their choice with nothing more than their 3-part code name. They have 30 days in which to pick up that cash reward.

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History of the Landlord Training Program¹

The Landlord Training Program was designed to help law enforcement agencies, owners, property managers, and residents keep illegal activity out of rental property. This community-oriented property management approach was developed originally by John Campbell of Campbell DeLong Resources, Inc. for the Portland (Oregon) Police Bureau.

The program has been developed through a process of intensive research with hundreds of organizations and individuals — including landlords, management associations, private attorneys, tenant advocates, housing authority personnel, tenant screening companies, narcotics detectives, patrol officers, and many others. Funding for the original program development was provided by the Bureau of Justice Assistance, U.S. Department of Justice.

Work on the project began in July of 1989, with the first training presented in November of that year. Since then, the program has trained more than 12,000 landlords and property managers, impacting over 180,000 rental units in the Portland metropolitan area and thousands more have been trained across the nation—at last count, for example, the City of Milwaukee, Wisconsin has also trained over 10,000 landlords and property managers.

The program has received national recognition as an Innovation in State and Local Government by the Kennedy School of Government at Harvard University. National training tools have been developed by Campbell DeLong Resources through a grant from the Bureau of Justice Assistance (BJA Cooperative Agreement No. 94-DD-CX-K014).

¹ Campbell, DeLong Resources, Inc, <http://www.cdri.com/>.

ACKNOWLEDGMENTS

The Tippecanoe County Rental Property Owner and Manager Training Program was designed to help law enforcement agencies, owners, property managers, and residents keep illegal activity out of rental property. The manual content focuses on active property management, which is critical to prevent illegal activity from thriving in our neighborhoods.

We want to thank John Campbell, *President, Campbell Delong Resources*, developer of the first *Landlord Training Program* for the City of Portland, Oregon, and the current *National Landlord Training Program*, who granted us permission to modify the program to meet the specific needs of our county. We acknowledge his pioneering efforts in community-oriented property management and applaud the service he and Campbell Delong Resources, Inc. has provided to jurisdictions throughout the United States in their effort to fight crime in residential neighborhoods.

In addition, Karin Long, *Landlord Training Program Coordinator, City of Milwaukee, Wisconsin*, who developed one of the first satellite Landlord Training Programs in collaboration with John Campbell, provided valuable instruction and insight regarding the problem of illegal activity in rental properties. It is due to their efforts that the concepts in this manual have proved to assist communities in ridding rental properties of illegal activities. We thank Karin for the training, guidance, and support she provided throughout the writing of this manual and recognize her award-winning contributions.

We gratefully acknowledge the contributions of the many Tippecanoe County citizens who provided candid, thoughtful, and valuable input during the development of this project, including rental property owners and managers, tenants, neighborhood associations, civic organizations, government officials, landlord/tenant attorneys, school administrators and community leaders. We would like to recognize the important contribution JoAnn Miller, PhD, *Associate Dean of the College of Liberal Arts and Professor of Sociology*, has made to Tippecanoe County by lending her expertise to both the Weed and Seed, and Project Safe Neighborhoods grants.

The unprecedented cooperation of Tracy Brown, *Tippecanoe County Sheriff*, Don Roush, *Chief, Lafayette Police Department*, David Payne, *Deputy Chief, Lafayette Police Department* and Jason Dombkowski, *Chief, West Lafayette Police Department* and their teams has provided our county with a multi-jurisdictional force that has been critical to the launch of this program. This project would not have been possible without their commitment to support the PROJECT SAFE NEIGHBORHOODS WeTip Initiative. We commend their dedication to rid Tippecanoe County of the illegal activity and acknowledge their willingness to assist our efforts.

It is when citizens, law enforcement, academic leaders, and government officials work together, that we are able to evoke the most change, make our community safer, and improve the quality of life for all.



Kathryn J. Redd

Project Safe Neighborhoods Anti-Gang Initiatives Director

Tippecanoe County Prosecutor's Office

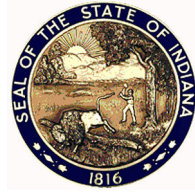
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contributions, support and counsel of the following
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- Members of the Rental Property Owners and Managers Focus Group
- Chris Weaver, Lieutenant, Community Liaison Officer, Lafayette Police Department, *PSN Law Enforcement Advisor*
- Ken Weller, Tippecanoe County Legal Aid, *PSN Tenant's Rights Advisor*

FOREWORD

TIPPECANOE COUNTY PROSECUTOR



Patrick K. Harrington

Chronic drug dealing and other illegal activity can reduce a neighborhood to a mere shell of the healthy community it once was. In our frustration, we often look only to the police or “the system” for solutions and forget that neighbors and property owners have tremendous power over the basic health of a community.

County and city government, as well as, law enforcement have a critical responsibility, but we as citizens, property owners, tenants, and homeowners, remain the foundation that makes it all work.

Citizens decide which problems require action. Typically, a city responds only after citizens recognize and report illegal activity. When a problem arises, the affected homeowners, tenants, and property owners make one of the first and most important decisions: ignore it, run from it, or do something about it. Each of us plays a different role. Each bears a responsibility to keep a community strong.

The most effective way to deal with drug activity on rental property is through a coordinated effort with police, property owners, and neighbors. Efforts are underway to improve the way police address problems with drug activity in residential neighborhoods. What you can do is learn how to keep illegal activity off your property and make a commitment to removing or stopping it the moment it occurs.

The intention of this manual is to help you do just that, to help honest tenants rent from responsible landlords, while preventing those involved in illegal activity from abusing rental housing and the neighborhoods in which they stand.

We know that, in the past, abuses of the system have come from both sides. We also know that most property owners want to be fair and that most tenants are good people. Responsible property management and ownership begins with the idea that it will benefit all of us. If the information given herein is used responsibly, all of property owners and managers, and tenants will enjoy safer, more stable neighborhoods.

Patrick K. Harrington
Tippecanoe County Prosecutor



TIPPECANOE COUNTY

RENTAL PROPERTY OWNER AND MANAGER TRAINING PROGRAM

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ANTI-GANG INITIATIVE



TIPPECANOE COUNTY PROSECUTOR'S OFFICE

<http://www.tippecanoe.in.gov/PSN/>

Keeping Illegal Activity Out of Tippecanoe County

INTRODUCTION

Community-oriented property management is good business

*An individual has not started living until he can rise above
the narrow confines of his individualistic concerns
to the broader concerns of all humanity.
Martin Luther King, Jr.*

COSTS AND BENEFITS

Property owners and managers¹ who apply the active property management principles presented in this manual, have consistently seen improvements in the quality of their rental business. Applying the information presented in this training can result in significant benefits to each of the three interest groups in a residential neighborhood.

**Whole communities can become safer, residents can enjoy better housing,
and property owners can enjoy greater business success.**

Costs of Drug Activity in Rentals

**When criminals operate out of rental property,
neighborhoods suffer and property owners pay a high price.**

That price may include:

- Declining in property values when the activity begins affecting the reputation of the neighborhood
- Property damage arising from abuse, retaliation, or neglect
- Toxic contamination and/or fire resulting from manufacturing or grow operations
- Civil penalties, including loss of property use for up to one year, and property damage resulting from police raids
- Loss of rent during the eviction and repair periods
- The fear and frustration of dealing with dangerous tenants
- Increased resentment and anger between neighbors and property managers

¹ In this manual, the term landlord is used for “property owners and managers”.
Tippecanoe County Rental Owner and Manager Training Program Manual, Second Edition

Benefits of Active Management

Active management can prevent much of the rental-based drug crime occurring today.

Developing an active management style requires a commitment to establishing a new approach.

Property owners and managers interviewed for this program, who have made the switch to more active management, consistently report these rewards.

- A stable, more satisfied tenant base
- Increased demand for rental units, particularly for multi-family units that have a reputation for active management
- Lower maintenance and repair costs
- Improved property values
- Improved personal safety for tenants, property owners, and managers
- Peace of mind from spending more time on routine management and less on crisis control
- Appreciative neighbors and development of healthy relationships with them

The older I get the more wisdom I find in the ancient rule of taking first things first. A process which often reduces the most complex human problem to a manageable proportion.

Dwight D. Eisenhower

Chapter 1: PREPARING THE PROPERTY

Make the environment part of the solution

Strong community-oriented neighborhoods with well maintained properties drive out illegal activity. To criminals, that's not attractive.

They want to be anonymous.

Patrick K. Harrington, Tippecanoe County Prosecutor

THE BASICS

- Make sure the aesthetic and physical nature of the property is attractive to honest renters and unattractive to dishonest ones

KEEP THE PROPERTY UP TO HABITABILITY STANDARDS

Maintaining housing standards is important to the public welfare and it protects against neighborhood decay. A substandard rental unit is more likely to attract drug criminals; it announces to potential criminals that the landlords standards are low and that inappropriate tenant behavior is likely to be overlooked.

In addition, eviction of a knowledgeable problem tenant from a poorly maintained unit can be both time consuming and expensive. Landlord/tenant laws generally protect tenants from retaliation if the tenant complains that the landlord has not complied with minimum housing standards. If a landlord attempts to evict a problem tenant from a substandard unit, a court may be confronted with having to weigh the behavior of a problem tenant against that of a problem landlord. So in effect, landlords who fail to meet their responsibilities under the law may find that they have compromised their rights under the law as well.

Before renting your property, make sure it meets the Indiana and local housing and building codes, habitability requirements of and if you receive rental assistance, the U.S. Department of Housing and Urban Development (HUD) standards for "decent, safe, and sanitary" housing. We will cover specifics in these areas throughout the training.

While many of the basic elements of these requirements will overlap, they won't entirely, so you will need to check all sources to make sure you are in compliance.

Examples of some basic conditions that are considered to affect the habitability of a dwelling unit

- Every unit should have **hot and cold running water**, as well as plumbing and sewage disposal facilities in good operating condition.
- There must be a **heating system** in the unit that is safe operating condition and capable of keeping the unit sufficiently warm throughout the year (at least 67 degrees Fahrenheit).
- The unit must have working **electrical service** with wiring, outlets, fixture, and other components in safe operating condition.
- The premises must be **free of conditions that constitute a "substantial hazard to health or safety"** or create an unreasonable risk of injury as a result of "reasonably foreseeable uses" (excluding abuse or negligent use by the tenant).
- Most importantly, the **interior and exterior of the building must be maintained in good repair, structurally sound and sanitary** so as not to pose a threat to the public health, safety, or welfare.

Meeting basic habitability requirements is only the beginning.

- It is well documented that environmental design can make a tremendous difference in controlling and preventing illegal activity on properties.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

KEY POINT

- It is important that lighting, landscaping, and building design combine to create an environment where drug dealers, burglars, and other criminals don't feel comfortable

"CPTED" Defined

Crime Prevention Through Environmental Design, known as CPTED (pronounced "Sep Ted"), is a field of knowledge developed in response to research demonstrating that the architecture of some buildings deters crime while that of others encourage it. These concepts were originally designed to help reduce crime to a property (e.g., a burglar breaking in). They are now known also to help prevent crime from a property (e.g. drug dealing, drug manufacturing, illegal gang activity). However, it only works if you apply it.

The keys are in making sure that the structure and surrounding land are visible to neighbors. Taken alone, few of the following elements will have a significant impact.

Taken together, they will stop some illegal operators from moving into the property, and will make it easier for neighbors (or surveillance teams) to observe and document illegal activity.

It is important that lighting, landscaping, and building design combine to create an environment where drug dealers, burglars, and other criminals don't feel comfortable.

Basic steps include making it difficult to break in, closing off likely escape routes, and making sure public areas can be easily observed by nearby people as they go about their normal activity.

The proper design and effective use of the built environment can lead to a reduction in the fear of crime and incidence of crime, and to an improvement in quality of life.

*Timothy D. Crowe, Former Director,
The National Crime Prevention Institute*

THE FOUR BASIC ELEMENTS OF CPTED¹

Natural Surveillance

The ability to look into and out of your property

Crime is less likely to happen if criminals feel they will be observed.

- Keep shrubs trimmed, so they don't block the view of windows or porches
- Install glass peepholes so both children and adults can see who is at the door before they open it
- Prune tree branches that hang below six feet
- Install low-energy-usage outdoor lighting along the paths. Install motion-activated lights in private areas such as driveways
- Keep draperies or blinds open during the day; leave porch lights on at night

Access Control

Controlling entry and exit

Crime is less likely to happen if the criminal feels it will be hard to get in or if escape routes are blocked.

- Examples range from something as simple as a locked door to a 24-hour guard station or remote-activated gate
- This applies to individual apartments too: deadbolt locks, security pins in windows and sliding-glass doors
- The “buzzer” for opening the front door from inside an apartment is an access control device

¹ Although research on CPTED goes back decades, the description given here is based on information provided by the Tucson, Arizona Police Department's “Safe By Design” program.

THE FOUR BASIC ELEMENTS OF CPTED

Territoriality

Making a psychological impression that someone cares about the property and will engage in its defense

- Conveying “territoriality” is accomplished by posting signs, general cleanliness, high maintenance standards, and residents who politely question strangers.
- Signs assert territoriality; they tell visitors to “report to the manager”, define rules of conduct, warn against trespassing, or merely announce neighborhood boundaries
- In other examples, cleaning off graffiti the very next day will send a message that minor crime won’t be overlooked

Activity Support

Increasing the presence of law-abiding citizens can decrease the opportunities for criminals

- Neighborhood features that are not used for legitimate activities by residents are magnets for illegal ones
- Organizing events or improving public services in parks and schoolyards, holding outdoor gatherings, and accommodating bicycles, joggers, and fitness walkers are all examples
- How these concepts are best applied in a given property depends on many factors, including the existing landscaping, building architecture, availability of resident managers, management practices, presence of security personnel, desires of law-abiding residents, and more

KEEP THE PROPERTY VISIBLE, CONTROL ACCESS

The following are some **recommended “first steps” for making “CPTED” changes to rental property.**

Taken alone, few of the following elements will have a significant impact. Taken together, they will stop some illegal operators from wanting to move into the property, and will make it easier for neighbors (or surveillance teams) to observe and document illegal activity should it start up.

- **Use lighting to its best advantage**

Install photosensitive lighting over all entrances. Buyers, sellers, and manufacturers of illegal drugs don't like to be seen. At minimum, the front door, back door, and other outside entrance points should be equipped with energy-efficient flood lighting which are either motion or light sensitive, i.e. made to go on for a few minutes when a person approaches or to go on at sunset and stay on until dawn. Backyards and other common areas should also be illuminated. While lights should illuminate the entrances and surrounding grounds, they should not shine harshly into windows, either yours or the next-door neighbor's. Be sure applicants understand that the lighting is part of the cost of renting and that ***all outdoor lights will be and must be left on*** a part of the dwellings security program.

In apartment complexes, make sure that all walkways, activity areas, and parking lots are well lit, especially along the property perimeter. Covered parking areas should have lighting installed under the canopy. All ***fixtures should be of vandal resistant design***. Landscape planning should take into account how future plant growth will impact lighting patterns.

- **Make sure fences can be seen through**

If you install fencing, chain link or wrought iron types are best, because they limit access without also offering a place to hide. Wood fencing can also be used effectively, provided wide gaps are left between the boards. In some cases, landlords might also consider a lower fence height, for example, four feet high instead of six. Consider replacing, or modifying, wood fences that have minimal gaps between boards. Keep hedges trimmed low.

- **Keep bushes around windows and doorways well trimmed.**

Bushes should not impair the view of entrances and windows. Tree branches should also be trimmed up from the ground to discourage the possibility of a person hiding.

KEEP THE PROPERTY VISIBLE, CONTROL ACCESS (Continued)

- **Post the address clearly**

Only the drug operator will benefit if the address is difficult to read from the street. When address numbers are faded, hidden by shrubs, not illuminated at night, or simply falling off, neighbors will have one more hurdle to cross before reporting activity and police will have more difficulty finding the unit when called.

It is helpful for large apartment complexes to have a permanent map of the complex, including a “you are here” point of reference, at each driveway entrance. These maps should be clearly visible in all weather and well lighted. If the complex consists of multiple buildings, make sure building numbers can be read easily from any adjacent parking area, both day and night. Also, make sure that rental units are numbered in a logical and consistent manner to make it possible for officers to locate the unit as rapidly as possible if called to it.

It is important to note that it is required in the City of Lafayette’s Municipal Code (LMO) (11.13.010) and City of West Lafayette’s Code Property Maintenance Code, for all dwellings to have an address posted, which must be visible from the street. It is a violation for any person to knowingly cause or allow a dwelling or business to be addressed or unidentified in a manner, which interferes with emergency personnel’s ability to promptly and accurately identify a particular dwelling, or business. Depending on the jurisdiction, the fine for failure to comply can be up to \$1,000 per address, with a separate offense occurring for every day until the offense is corrected.

- **Control traffic flow and access**

In larger complexes, control access points to deter pedestrian passersby from entering the property. Then do the same for automobile traffic. ***People involved in drug activity prefer “drive through” parking lots, those with multiple exits.*** Consider blocking some parking exits, adding fencing, and rerouting traffic so all automobile and foot traffic, coming and going, must pass the same point, within view of the manager’s office.

If more control is needed, ***issue parking permits to tenants.*** This is an excellent way to control access to your property and is granted to residents only. Post signs forbidding cars without permits to use the lot. Towing companies that specialize in this type of business can provide you with signs, usually for a nominal setup fee. Depending on the availability of street parking for guests, either deny guest parking altogether or limit it to specific spaces. For larger complexes, this is an excellent way of deterring disruptive traffic flow and excessive visitors which become a nuisance for your tenants. ***Be consistent in having violators towed away. Remember, it is your parking lot, not a public one.***

KEEP THE PROPERTY VISIBLE, CONTROL ACCESS (Continued)

- **Before building, design for a strong sense of community**

Each of the other steps described in this section should be integrated into building plans to help design a safer rental unit from the start. In addition, for apartment complexes in particular, building plans should include design elements that will help foster a sense of community. Recreational areas and other community facilities can help encourage neighbors to become acquainted. Building layouts should nurture more personalized, neighborhood environments over those that may reinforce feelings of isolation and separation from the community.

KEEP THE PROPERTY LOOKING CARED FOR

Housing that looks cared for will not only attract good tenants, it will also discourage many who are involved in illegal activity. Changes that help communicate “safe, quiet, and clean” may further protect the premises from those who want a place where chronic problem activity might be tolerated.

While the following approaches are useful in any type of rental, they can make a particularly strong difference in multi-family complexes

- **Report graffiti immediately to your local law enforcement and remove it quickly**

It is important for law enforcement officers to photograph the graffiti prior to it being removed. We currently have over 1,500 known gang members living in Tippecanoe County. Graffiti is often the gangs way of marking their territory. We are seeing this trend throughout the county, therefore, it is important for law enforcement to track all activity related to gangs.

Do not remove graffiti until it has been documented by your local law enforcement agency.

Graffiti may be the random work of a juvenile delinquent or a gang member marking territory. Regardless, it serves as an invitation for more problems and it can demoralize and intimidate a neighborhood. If you observe graffiti, call your local police or the Tippecanoe County Sheriff's department. After the graffiti has been documented by law enforcement, remove it or paint it over. Remove it again if it reappears and **do not let it become an eyesore.**

- **Repair vandalism**

A critical part of discouraging vandalism is to repair the problem fast. If the vandalism appears to be directed against you or your tenants, the police should be advised immediately and additional approaches discussed to addressing the situation. It is appropriate to **call 911 when you observe graffiti and other acts of vandalism in progress.**

- **Keep the exterior looking clean and fresh**

Fresh paint, cared for gardens, and litter-free grounds help communicate that someone who cares about what happens there maintains the property.

Crime Prevention Through Environmental Design Web Resources

Web Resources

- Bureau of Justice Assistance (BJA), Crime Prevention, Crime Prevention Through Environmental Design. What are Crime Prevention Through Environmental Design Strategies
www.ojp.usdoj.gov/BJA/evaluation/psi_cp/cpted1.htm
- City of Fort Wayne, Indiana – Crime Prevention Through Environmental Design
www.cityoffortwayne.org/index.php?option=com_content&task=view&id=181&Itemid=223
- CPTED Ontario
www.cptedontario.ca/
(shows photographic examples of rental properties)
- Crime Prevention Through Environmental Design, Rutgers University, School of Criminal Justice: http://crimeprevention.rutgers.edu/case_studies/cpted/cpted_intro.htm
- Designing Out Crime Association
www.doca.org.uk/
- Design Center for CPTED
www.designcentreforcpted.org/
- European Designing Out Crime Association
www.e-doca.eu/
- International CPTED Association
<http://www.cpted.net/home>
- Los Angeles Police Department, Prevention Through Environmental Design
www.lapdonline.org/prevent_crimecontent_basic_view/7726
- Secured by Design, ACPO Crime Prevention Initiatives Limited
www.securedbydesign.com
(provides design plans, and comprehensive best practices)
- U.S. Department of Justice.(2007). Using Crime Prevention Through Environmental Design. Problem-Solving Office of Community Oriented Policing Services, Problem-Oriented Guides for Police Problem-Solving Tools Series No. 8, (2007)
www.cops.usdoj.gov/files/ric/Publications/e0807391.pdf
- United States Designing Out Crime Association
www.us-doca.com

What is being done?

Law enforcement agencies and legislators are getting tough on graffiti vandals. The police and sheriffs department want to hear from you if you see graffiti in progress. **If you see people vandalizing with graffiti, call 911.** Police need to get reports about every occurrence of graffiti so officers can take aggressive action and establish surveillance.

The role of citizens

Graffiti is detrimental to property values, adversely affects quality of life and community attractiveness, and discredits the counties reputation for livability. When graffiti is allowed to remain, it invites yet more graffiti and may lead to an increase in vandalism and other criminal activity.¹

Call the non-emergency police/sheriff phone numbers to report graffiti on property you own or if you observe graffiti on property, you do not own .

To report graffiti

- Lafayette, call 765-807-1200
- West Lafayette, call 765-775-5200
- Tippecanoe County, call 765-423-9388

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page or a sheet of stationery.

Real integrity is doing the right thing, knowing that nobody's going to know whether you did it or not.

Oprah Winfrey

Chapter 2: CODE REQUIREMENTS

Be knowledgeable about local, state and federal codes

Nothing signals to criminals that they can conduct illegal activities more than properties that are not cared for and a non-existent code enforcement policy.

Leadership Member, Lafayette Neighborhood Association

THE BASICS

- Keep the property up to property maintenance code
- Ensure tenants' rights to enjoy their property without interference from nuisances or concerns for health and safety

THE THREE BASIC TYPES OF CODES DEFINED

Building Codes

The purpose of various building codes are to provide minimum standards to safeguard life, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings, structures and certain equipment within Tippecanoe County.

Property Maintenance Codes

Property maintenance codes are designed to ensure that the standards and regulations originally implemented in the building codes are sustained over time by establishing a system to monitor maintenance standards and implement basic standards.

For property owners the code constitutes the minimum maintenance requirements including equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, fire safety, building security, zoning restrictions, construction and alteration, and requirements for the installation and replacing of plumbing and electrical components.

The overall intent of the code is to ensure that the interior and exterior of all residential buildings are maintained in a state of good repair, structurally sound, and sanitary, so as not to pose a threat to the public health, safety, or welfare.

TYPES OF CODES

Nuisance Codes

Nuisance codes, by definition, eliminate, through a system of regulated enforcement, any thing, condition or act that cause inconvenience or damage to the public with respect their comfort, health, repose or safety or with respect to the free use and comfortable enjoyment of their property.

Lafayette, West Lafayette, Tippecanoe County, and the State of Indiana each maintain a set of codes

- The **City of Lafayette Municipal Code** can be accessed at the Engineering and Public Works Office, who enforce the code and issue construction permits for the city. (807-1050) or online at <http://ordlink.com/codes/lafayette/index.htm>
- The **West Lafayette City Code** is managed by the Engineering Department, who issues permits and inspects construction projects. The Code Enforcement Office in the Department of Development and they enforce all codes, except construction. (775-5130) or online at <http://ordlink.com/codes/westlaf/index.htm>
- In **Tippecanoe County**, the Building Commission, and Zoning Enforcement Office maintains the **Tippecanoe County Code**, and are responsible for issuing construction codes, inspecting building construction and enforcing the code. (423-9225)
- The **State of Indiana Constitution** can be accessed at <http://www.in.gov/legislative/ic/code/const/>.

Note: Online resources are convenient, but not always up to date. It best to contact the appropriate office to ensure you are aware of the most current law or seek the advice of a landlord attorney.

BUILDING CODES BASICS

Building Permits are needed for new construction, placing an addition onto or remodeling of an existing structure or upgrading the electrical system. Types of construction requiring a permit include any structural project, decks, aboveground and in-ground swimming pools, and accessory structures. Permits are not required for fences, patio slabs, cosmetic upkeep, and re-roofing, as long as the structural members are not altered. For questions regarding whether a permit is needed, contact the appropriate Engineering Department or the Tippecanoe County Building Commission and Zoning Enforcement Office. (See who to contact in Tippecanoe County Resources Addendum)

Building permits

West Lafayette Building Permits Required¹

1. **Footing and/or Foundation Inspection:** (before the concrete is poured)
2. **Sewer Tap Inspection:** (do not backfill the trench or tap/connection [and no pea fill allowed])
3. **Temporary Pole Inspection:** (after request to P.S.I. Cinergy is made) Request takes about 1 week for processing of paperwork by Cinergy.
4. **Storm Water Drainage:** Floor drains, footing drains, sump pits, manholes, laterals, ponds and outlets to drainage System.
5. **Slab Inspection:** (before the concrete is poured in (a) basement, (b) garage, and (c) driveway, (d) main floor)
6. **Rough-in Inspection:** (electrical, plumbing, framing and insulation before drywall is applied)
7. **Temporary Main or Permanent Service Inspection:** (panel box, grounding system, meter base set and connected [all bonding to waterlines, furnace, and metal boxes]).
8. **Conditional Certificate of Occupancy:** (when all work necessary for the safety, health, and welfare of the occupants is completed [a cashiers check or letter of credit for the required work yet to be completed, including landscaping, sidewalk, and other public works], a completion date will be necessary before issued.)
9. **Landscaping:** (drainage swales, erosion control, green space, and trees required by ordinance)
10. **Certificate of Occupancy:** Final Inspection - (when all work is complete and before the building or house is occupied)

¹ City of West Lafayette, <http://www.city.west-lafayette.in.us/>

Building Permits (Continued)

Lafayette General Permits Required¹

Building Inspections – Includes building, electrical and fire department, all building permits are subject but not limited to these inspections

1. **Footings:** when excavated and ready for concrete, before concrete is poured

2. **Foundation Walls:** only when poured

3. **Interior Plumbing:** when plumbing is roughed, before it is covered, (a water test of 5-lbs of air for 15 minutes)

4. **Floor Slab:** (before the concrete is poured in (a) basement, (b) garage, and (c) driveway, (d) main floor

5. **Electrical Slab:** when all conduits staked and ready for pour

6. **Framing:** when completely framed, permanent roof on, wiring, plumbing and HVAC is roughed in and nail plates are in place, before insulations or wall covering installed.

7. **Electrical Temporary Main:** when panel is installed and building is lockable.

8. **Electrical Rough-In:** when all phases of electrical and communication cable have been installed and holes have been caulked or foamed.

9. **Above Drop Ceiling:** when all work is done except lay-on pads

10. **Sidewalks, Curbs, Driveways:** when formed, before concrete is poured

11. **Building Final:** when building is completed

12. **Electrical Final:** when building is completed

13. **Fire Department Final:** sprinkler/fire alarm system(s) acceptance test, kitchen hood trip smoke/air balance and suppression test, first resistive walls/doors and frames/ceilings. Exit and emergency light testing, hydrants/FDS/PIV

14. **Fire Department Opening:** when building is completed

15. **Commercial Building:** (additional inspections needed for finals)

16. **Health Department:** upon completion of a walk through, a punch list will be given at this time, if required

17. **Pre-Opening, Opening, 1 Year Permit:** when building is completely finished, punch list is rechecked, and 1-year permit is issued, if approved.

¹ City of Lafayette, Engineering Department, <http://www.city.lafayette.in.us/>

PROPERTY MAINTENANCE CODES

Property Maintenance Basics

The following is a general summary of building components which should be checked; however, please note this is a summary.

Building Interiors:

- **Walls and ceilings are solid**
Watch for defective, crumbling plaster and peeling paint
- **Floors safe**
Watch for defective floor coverings, floorboards, and missing or defective baseboards
Bathroom and kitchens require water resistant floors
- **Safe stairways**
Ensure step treads and stringers in good condition
Handrails are required for stairways with more than three risers
- **Working, lead-free plumbing**
Faucets, pipes, and drains should not leak and be in good working condition
Drains should not be clogged and all fixtures should be securely mounted
- **Safe, operable electrical systems**
All outlets and fixtures are in good working condition with no missing or defective cover plates
No extension cords substituted for permanent wiring and the fuse box not excessively fused
- **Functional, safe heating systems**
All ductwork connected properly with register covers in place and secured
Vent pipes are properly installed and in good condition
Furnace filters cleaned regularly
Chimney in good condition
Space heaters are properly installed with appropriate clearance to combustible material
Smoke detectors are operable and properly installed
- **Windows Operable**
Every window, other than a fixed window, is easily operable and capable of being held in position by window hardware

Property Maintenance Basics (Continued)

Building Exteriors

- **Chimneys in good repair**
No cracks, broken caps, missing mortar or bricks
- **Roofing tight and weatherproof**
No loose or missing shingles or rolled roofing
Valleys that channel water should be particularly well maintained;
note that rolled roofing may not be installed over existing roofing material,
unless the existing material is also rolled roofing
- **Gutters in working order**
Watch for deterioration, rust, and holes
Note that built-in gutters should be particularly well maintained to avoid
damage to the surrounding structure
- **Downspouts functioning properly**
Watch for disconnected or rusted downspouts
Make sure that downspouts that are connected to receivers which direct water
away from foundation walls
- **Exterior surfaces preserved and maintained**
Watch for missing or defective siding, soffits, or fascia boards, peeling paint,
and loose or rusted nails
- **Masonry and foundation walls solid**
Watch for loose or missing mortar, bricks or blocks; cracks or bows in
foundation walls; evidence of water damage or water entering the basement
through the foundations
- **Safe porches and attachments**
Watch for defective or missing boards in the porch floor or skirting;
defective or missing step treads, risers, or step stringers; defective or missing
handrails, balusters or guardrails
- **Handrails installed to code**
Handrails are required on all stairs of more than three risers
If the stairs are open, handrails should be installed on both sides
Install the handrail between 30 and 34 inches above the nosing of the step
thread
When replacing balusters that support handrails or guardrails, they should be
spaced closely enough to prevent an object greater than 6 inches in diameter
from passing between them

Property Maintenance Basics (Continued)

Building Exteriors

Guardrails installed to code

In one and two family properties, guardrails must be 36 inches high
On other residential buildings, they must be 42 inches high.

Windows and doors solid and weather tight

Watch for defective sashes, missing window putty, loose or defective door and window hardware (e.g., locks, latches, doorknobs, and hinges), defective door and window casting, broken windows, defective or missing storm doors and screens.

Service walks and steps safe

Watch for broken, cracked, or missing concrete

Garages free from deterioration

Doors should be operational, and the exterior should be maintained; as discussed about and including painting, exterior siding, roofing, and windows

Yards free of safety and sanitation hazards and well maintained

Garbage carts used appropriately, no garbage buildup, yard maintained, soil erosion prevented
Landscape is maintained; trees, bushes, and grass trimmed

Fire Code Basics

Smoke Detectors

It is **required every dwelling unit within a multi-family building, every rental dwelling unit, and every room used for sleeping purposes be equipped with a smoke detector** that is maintained in good working order.

Smoke detectors must be approved by the Underwriters Laboratory, and installed in accordance with the Indiana Code (LMO Ord. 3.02.010; ISC 79-37, 10-I-79). In addition, all systems, devices, and equipment to detect a fire, activate an alarm, or suppress a fire should be maintained in an operable condition at all times (LMO 13.03.010, Se. 705.2). It is suggested for multi-family housing that tamperproof smoke detectors be installed.

Emergency Exits

Indiana Code requires that in all buildings containing apartments or rooms for rent, an emergency sign must be permanently affixed in a prominent location and must contain instructions on emergency procedures in case of fire or other emergency. The code also dictates specifics on the letter size, color, content, location, and overall size of the emergency signs. (IC 22-11-16-3, As added by Acts 1982, P.L.139, SEC.1)

Fire Code Basics (Continued)

Emergency Exits (Continued)

Indiana Code requires that all buildings containing apartments have an **emergency sign permanently affixed** in a prominent location which contains instructions on emergency procedures in case of fire or other emergency. Note: The code also dictates specifics on the letter size, color, content, location, and overall size of the emergency signs (IC 22-11-16-3, As added by Acts 1982, P.L.139, SEC.1).

Additionally, a safe **unobstructed path of travel** must be maintained from any point in the rental unit to the outside and that path must be readily accessible and unlocked (LMO 13.03.010, Se. 701.2, 701.11).

For emergency escape, every sleeping room is required to have at least one operable window or exterior door to provide an emergency way out. The window shall have a net clear opening of not less than 4.75 square feet. The minimum net clear opening height dimension shall be 24 inches. The minimum clear width dimension shall be 20 inches. The sill height shall not be more than 44 inches above the floor (LMO 13.03.010, Se. 701.12, 703.1-2).

Alarm Systems

We suggest posting information sheets on and adjacent to alarm panels. Lafayette and West Lafayette Code require information sheets be posted on or adjacent to alarm panels.

Inspection and Entrance to Premises

In accordance with local and state law, "The Chief of the Fire Department and/or his/her authorized agents (all jurisdictions in Tippecanoe County) are empowered and authorized, at any reasonable time, to enter on and into any premises to examine or inspect the condition with regard to the presence of anything that may create a danger from fire and to determine whether or not codes, relative to the prevention of fire are being complied with." This authorizes the Fire Chief, his/her agents or inspectors to investigate any potential hazard or code violation relative to the fire safety of all rental units (LMO 3.01.060, '71 Code, § 10-6; Penalty, see § 3.01.990 - Cross-reference: Building code, see Ch. 13.01; WLMC Sec. 63.07; Ord. No. 12-92, § 6).

It is important to note that all code compliance of rental units is the responsibility of the property owner. If you have a question or feel that a property is in violation, it is important that you contact the appropriate authorities. It is a good practice to make yourself familiar with the all building codes and periodically check for new laws.

FIRE CODE AND INSPECTIONS

- **Lafayette: City of Lafayette Fire Prevention Bureau, 765-807-1300**
- **West Lafayette: Fire Inspector/Investigator, 765-775-5178**
- **Tippecanoe County: Tippecanoe County Building Commission and Zoning Enforcement Office, 765-423-9225**

Indiana Electrical Code

For Indiana State Law, all electric construction, all material, and all appliances used in connection with electrical work and the operation of all electrical apparatus shall be in conformity with the rules and requirements of the **National Fire Protection Association** for the installation of wiring and apparatus for electric light and power, known as the Indiana Electrical Code, 1984 edition, (675 IAC 17-1) - ('71 Code, § 9-1; Am. Ord. 72 26, 8-7-72; Am. Ord. 76-7, 4-5-76; Am. Ord. 81-35, 11-2-81; Am. Ord. 86-38, 1-7 87).

Inspection and Entrance to Premises

The Electric Inspector and other competent persons delegated by him or her shall have the right at any time to enter any building or manhole in the discharge of his or her official duties, or for the purpose of making any tests of the electrical apparatus or appliances. For that purpose, the Inspector shall be given prompt access to all buildings, public or private, and to all manholes, on application to the company or individual owning or in charge or control of the same. ('71 Code, § 9-3).

Electrical Inspections, Permits or Questions

- **Lafayette**
Engineering Department: 807-1050
- **West Lafayette**
City Engineer: 775-5130
- **Tippecanoe County**
Building Commissioner: 423-9203

Specific Property Maintenance Codes¹

Housing Inspection Program, West Lafayette Only

Every rental property, which includes renting a room or sharing expenses must be certified by the City of West Lafayette.

For a property to be certified, the owner or their manager must apply for a certificate, be inspected for compliance with a housing code, pay fees and be subsequently certified. Rental properties may be inspected annually, every two years or every four years depending upon where they are located, who lives there, and how they are used (a house or an apartment building). The property owner is ultimately responsible for compliance with the code; however, tenants are responsible for the cleanliness and sanitary conditions of their dwelling and the yard areas if required by their lease. (Refer to Appendix for *The West Lafayette Housing-Property Maintenance Code and Rental Housing Certification Requirements*)

Maintenance of trees, Lafayette and West Lafayette Only

The owner, tenant, and their agent if any, of the property located behind the public parkway on which trees are planted by the tree fund shall be jointly and separately responsible for the maintenance of trees planted.¹ (West Lafayette only)

All trees shall be maintained in good condition so as to present a healthy, neat, and orderly appearance, maintaining the tree's natural shape and crown--excessive pruning or topping are not acceptable or approved practices. Tree topping shall be unlawful as a normal practice by a person, firm or city department to any street tree, park tree, other tree on public property, or trees required by this chapter. All plant materials shall be kept free from refuse and debris. (LMO No. 41-84, § 3(B); Ord. No. 13-90, § 6; Ord. No. 22-02 § 1).

Maintenance Agreements, West Lafayette only

As part of the rental certification application, your landlord must inform the city of who is responsible for the removal of snow on the public sidewalk and all yard maintenance, including the mowing of the lawn and the removal of trash and rubbish. Tenants are required to acknowledge the maintenance responsibility and sign the agreement, which is filed with the city.

Grass and Weeds

All areas need to be kept free from weeds or plant growth, which are noxious or detrimental to the public health and welfare. The person responsible for the maintenance of the property is not only responsible for the principal yard or lawn areas, but also areas between the property and the paved area of all adjacent streets, including ditches, easements, alleys and unpaved rights-of-ways.

¹ City of Lafayette Municipal Code, <http://ordlink.com/codes/lafayette/index.htm>; City of West Lafayette, <http://www.city.west-lafayette.in.us/>.

Specific Property Maintenance Codes (Continued)

Exterior Furniture, West Lafayette only

If you wish to use furniture on your porch or in your yard, it must be designed for exterior use. Upholstered furniture is not designed for exterior usage. Upholstered furniture in use outside can contribute to rodent and insect infestation and harborage.

Snow/Ice Removal

Snow must be removed from the public sidewalk six hours after daylight and after the snow has ceased to fall. If you are responsible and you fail to remove the snow from your sidewalk, the city may remove the snow/ice and bill you for it.

Garbage and Rubbish Regulations

Your property must be free of any garbage or rubbish accumulation. Garbage cans with lids or dumpsters must be used to store garbage until it is removed. In **West Lafayette only**, appliances such as ranges, refrigerators, air conditioners, etc. will not be picked up by the city. You must pay to dispose of these items.

Abandoned Vehicles, West Lafayette only

No unregistered and/or inoperable motor vehicle is to be parked in public view on any property in a residential district for more than 24 hours. At no time may any motor vehicle be left in a state of major disassembly, in public view, for more than 24 hours. The West Lafayette Police Department enforces this regulation in cooperation with Code Enforcement.

***I like to see a man proud
of the place in which he
lives.***

***I like to see a man live so
that his place will be
proud of him.***

Abraham Lincoln

***For a quick reference
use the Property
Maintenance Checklist
in the Appendix.***

[illegible]

PUBLIC SAFETY AND NUISANCE CODES

Tippecanoe County Most Common Nuisances Codes ¹

Noise Ordinance

Throughout Tippecanoe County, it is unlawful for any person to make any noise or permit any noise to be made which disturbs the peace of any other person in public or on any other property. Any person who causes or permits such noise to occur or continue or who are in possession of or occupy real property or who operate or occupy a vehicle, from which such noise is emitted, or possess any object, from which such noise is emitted, is in violation of this code. (LMO Ord. No. 31-99 § 1) Violators can be fined from \$50 for the first offense up to \$500 for second and subsequent violations.

Unlawful Assembly

In Tippecanoe County, unlawful assembly is defined in a number of ways.

- No person who is a member of a group of three or more unrelated persons, who are loitering or prowling in a place, at a time or in a manner not usual for law abiding citizens, under circumstances that warrant a reasonable alarm or immediate concern for the safety of persons or property is allowed.
- It is in violation of code to refuse the lawful command of a police officer to move or provide to the police officer a lawful reason for remaining in a public place.
- If the alleged loitering could create or cause: danger of a breach of the peace, disturbance to the comfort of any person acting lawfully on or in a public way reserved for pedestrians
- Obstruction or attempted obstruction of the free normal flow of vehicular traffic or the normal passage of pedestrian traffic upon any public way
- The obstruction, molestation or interference or attempt to obstruct, molest or interfere with any person lawfully on or in a public way, in a manner that would cause a reasonable person or pedestrian of a public way, to fear for his or her safety.

Fines range from \$50 to more than \$1000 depending on the number of violations.

Unsafe Structures

A structure is considered to be unsafe if it is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

¹ City of Lafayette Municipal Code, <http://ordlink.com/codes/lafayette/index.htm>; City of West Lafayette, <http://www.city.west-lafayette.in.us/>.

LEAD PAINT RULES AND REGULATIONS

In 1998, The Environmental Protection Agency (EPA) issued new lead paint notification rules for renovations of homes built prior to 1978.

The rules apply to anyone doing apartment renovation, which includes in-house staff and outside contractors.

When in-house staff is used, it is the responsibility of the owner to distribute the EPA pamphlet and the paper acknowledging receipt. When an outside contractor is used, they are responsible for distributing this information

The EPA Rules: Lead-Based Paint Pre-Renovation Education Rules and Pamphlet: Protect Your Family from Lead in Your Home may be accessed through the Internet at <http://www.epa.gov/opptintr/lead/index.html> or <http://www.hud.gov>.

In an article published in *Professional Apartment Management (PAM)* in December 1998, there is a description of “renovation”. The rules say it is “the modification of any existing structure, or portion thereof, which results in disturbance of painted surfaces.”

This could include, but is not limited to:

- Removal or modification of painted components
- Scraped or sanded paint
- Removal of large structures like walls
- Window replacement

There are compliance exemptions. You do not have to give out the required information every time you renovate.

Here are the exceptions:

- Renovations where certified inspectors have stated in writing that there is no lead paint present
- Minor repairs or maintenance such as electric or plumbing where less than 2 square feet of wall is disturbed
- Emergency renovation involving health hazards or potentially serious damage (such as fire or flood)
- Renovations in zero bedroom apartments
- Communities for the elderly or disabled, except if an individual apartment has a child under 6 living, or expected to live in it
- Renovations performed as part of lead paint abatement, providing work is done by a certified contractor

It is important to pass out the required pamphlet and to have tenants sign an acknowledgment receipt. **Keep records of all transactions on file.**

¹ The Environmental Protection Agency, <http://www.epa.gov/>.

APPLICANT SCREENING

Consider

COMMENTS WE HAVE HEARD¹

- *People say you should screen your tenants. You can't. The applicants lie about their previous property owner, they give you a fake address and the phone number of their brother. You call up the brother, he plays along, and you never discover they were evicted at the last two houses they rented.*
- *I thought I was calling the previous landlord and it was the applicant's parents and the parents played along. It ended up in eviction, some months later.*
- *We can't screen tenants worth anything. If you don't do it right, you could be sued for discrimination. So you check to see if they have income and that's it.*
- *I never check anything other than their driver's license.*

ADVICE WE WERE GIVEN:

- *Landlords' efforts to obtain information about the tenants' credit history and information from prior landlords, and tenants' efforts to obtain information about the reliability of the landlord BEFORE the lease is agreed to reduces problems after the lease is in effect.*

Honorable Gregory J. Donat, Tippecanoe County, Superior Court No. 4

¹ Note that some "complaints" contain inaccurate or incomplete assumptions about legal rights or procedure. Comments are made by property owners unless otherwise stated.

Chapter 3: APPLICANT SCREENING

An ounce of prevention

Trust, but verify.
Ronald Reagan

THE BASICS

- Attract honest tenants, while discouraging dishonest applicants from applying
- Have a system to help discover if a dishonest person has applied
- Use a process that is legal, simple, and fair

OVERVIEW

The goal is to weed out applicants with a history of illegal behavior as early as possible. It will save you time, money, and all the entanglements of getting into a legal contract with people who may damage your property and harm the neighborhood.

There are two ways to screen out potentially troublesome tenants:

- **Encourage self-screening**
 - Set up situations that discourage those who are dishonest from applying.
 - Every drug dealer who chooses *not* to apply is one more you do not have to investigate.
- **Uncover past behavior**
 - More often than not, a thorough background check will reveal poor references, an inconsistent credit rating, or falsehoods recorded on the application.

Effective Applicant Screening

For the following steps to be most effective, **you must have a well designed and consistent screening process in place** and **you must make sure that all applicants read and understand the rules and processes.**

Implementing elements of the suggestions in this chapter may help protect you legally. Making sure that an applicant knows your commitment to the process may help prevent problems before they have a chance to grow.

A word of caution

- If you are looking for a one-step solution, you won't find it here. There are no "magic" phone numbers you can call to get perfect information about applicants and their backgrounds.
- Effective property management requires adopting an approach and attitude that will discourage illegal behavior, while encouraging the stabilization, and then growth, of your honest tenant base. What makes the following process so effective is not any one step, but the cumulative value of the approach.

FEES AND "APPLICATION DEPOSITS"

Property owners can charge an application fee to defray the cost of screening or require an earnest money deposit at the time of application to make sure the applicant is serious about renting the unit. Most policies stipulate that if the applicant is accepted, but chooses not to rent the apartment, the fee or deposit will not be refunded. The value of charging a fee or collecting a deposit with the application is a smart preventive policy.

Fees and deposits can promote "self-screening."

- People who have a history of illegal activity or problem behavior may recognize your charging a fee as further indication of your commitment to screen carefully.
- Further, such a policy can discourage those who plan on filling out multiple applications, waiting to set up an illegal activity such as a drug operation with whichever property owner accepts them first.

FEES AND “APPLICATION DEPOSITS” (Continued)

Fees and deposits can save time

- You will spend less time screening people who decide not to rent from you after you have spent time processing their application.
- With a financial commitment involved, an applicant might take an extra few minutes to make sure every line on the application is filled in completely and accurately, which makes your verification process much easier.

The best investment in your property is to effectively screen each applicant.

If you decide to charge an earnest money deposit

- **Keep in mind that you need to ensure that you are within the guidelines under the law of Indiana** and have your policy reviewed by an attorney before proceeding. In general, the law requires the entire deposit be refunded to every applicant who is turned down by the property owner. If the applicant is accepted, the entire amount of the deposit must be either returned to the tenant or applied toward a rent payment or deposit.
- **Typically, the only time the property owner would keep a portion of the fee** is if the applicant is accepted by the property owner and then decides not to rent the unit. In such a case, a property owner should return the earnest money deposit, but may deduct the actual cost of screening: the price of long-distance calls made and other direct costs. In general, less directly applicable costs may not be deducted.
- **Charging an earnest money deposit, or an application fee, is not for everyone.** In addition, because of the potential for abuse, landlord/tenant laws often regulate policies associated with deposits and fees, so be aware of the law to assure the policy you set is acceptable.

The following approach can be used as a fair “earnest fee” policy

- **Keep it reasonable**

For example, charge enough to cover the direct out-of-pocket costs of screening a single applicant, but not more (e.g., the cost of a credit check or the amount you pay a screening company). Remember, the major value in charging an application fee or collecting a deposit is to make sure the applicant is committed to renting the unit. The fee won't necessarily cover all costs you incur to screen applicants.

- **Keep it fair**

Return fees or deposits to all honest applicants who were not given the opportunity to rent the unit. Return the money even if you incurred some screening costs on those applicants. If honest applicants are required to pay a fee even when they are not offered an apartment, the cost of just finding housing can become prohibitive.

For more information about fee and deposit policies, as well as guidance on appropriate forms to use refer to the Indiana Landlord/Tenant Law– Title 32 and contact a local property management association or an experienced landlord/tenant attorney. For those who are running multi-family units, you may also wish to consult the Lafayette Housing Authority on how to implement a fair waiting list policy for qualified applicants who are willing to wait for an available unit.

The right of property is the guardian of every other right, and to deprive a people of this is, in fact, is to deprive them of their liberty.

Arthur Lee, Virginia, 1775

[illegible]

CIVIL RIGHTS AND FAIR HOUSING

Landlords are sometimes confused over how much right they have to turn down applicants. A few even believe that civil rights laws require them to accept virtually any applicant. This is **not** the case.

Civil rights laws are designed to protect the way applicants are screened and to make sure that all qualified applicants feel equally invited to apply. Federal fair housing guidelines prohibit discrimination based on race, color, religion, sex, disability, national origin, or familial status (presence of children). The purpose of these laws is to prevent discrimination on the basis of a person's membership in a protected class.

Nothing in the law forbids you from setting fair screening guidelines and applying them equally to all applicants.

Keep in mind that every person belongs to these various classes and can be defined in terms of our race, color, sex, religion, national origin, familial status, disability, sexual orientation, etc. Therefore, any time you deny an applicant, you have, denied someone who belongs to a protected class. The question is whether or not you treat applicants or tenants adversely because of the class to which they belong.

If the criteria you set are blind to class issues, and you apply them consistently, you may turn down applicants who do not measure up.

The key lies in making sure your process is fair

That it neither directly nor indirectly discriminates on the basis of one of the federally defined classes or other classes that may also be protected. To comply, you should design a fair process and apply it consistently and equally to all applicants. The examples on the next page are consistent with federal fair housing guidelines:

The following examples are consistent with Federal Fair Housing Guidelines

Require a photo ID

- **You may have a rule that requires all applicants to show a photo I.D.**
- You could turn down applicants who cannot produce a photo I.D.
- You could require that they provide 2 photo IDs at the time of application.
- The practice becomes illegal when you apply the rule inconsistently such as requiring I.D. from people of one class but not from those of another.
- All property personnel must be consistent and it is the property owners responsibility to ensure they are properly trained.

Inform all applicants of property rules and warn about illegal activity

- You could **give a document to all applicants that outlines rules of the unit and warns against selling drugs on the property.**
- The practice becomes illegal when you hand it to applicants of one class, but not of another.
- Should you develop such a document, also make sure the wording used does not discourage members of a protected class from applying.
- Require that applicants read and sign an acknowledgment prior to giving them the application

The following examples are consistent with federal fair housing guidelines

Refuse to rent to anyone who lies or provides incorrect information to you

- You could refuse to rent to anyone who lies to you during the application process or provides false information on the application.
- This is both legal, highly appropriate, and recommended

Require automobile registration, proof of registration, insurance and a drivers license

- You could require all applicants who say they intend to park an automobile on your property to show current car registration, proof of insurance, and a valid driver's license along with their completed rental application.
- You could deny tenancy to those who wish to have a car on the property without showing such documentation.
- Of course, if the person does not plan to keep a car, the requirement would be waived.

There is nothing illegal about setting fair criteria and holding all applicants to the same standards.

By the consistent use of such guidelines, you can retain full and appropriate control over who lives in your rental units and who does not.

As you study the letter of the law, keep its spirit in mind as well. The sooner we remove the types of discrimination that weaken our communities, the sooner we can build a stronger, more equitable society.

REGARDING “LAWFUL SOURCE OF INCOME”

Some landlords have been confused about the source of income rules, believing erroneously that it requires a landlord to accept applicants who don't make enough money to rent the unit. You may set the tenant criteria based on amount and stability of income, and you may verify that source, amount and stability.

What you may not do

You cannot turn down any applicants who otherwise meet your income criteria, but gain income from a lawful source of which you may personally disapprove.

For example:

It is illegal for a landlord to turn down a qualified applicant who meets income, rental history, and other screen criteria and who happens to be a recipient of public assistance or alimony.

Means we use must be as pure as the ends we seek.

Martin Luther King, Jr.

WRITTEN TENANT CRITERIA: WHAT TO POST

Many of the attorneys and legislative authorities interviewed for this program recommend developing written rental criteria and posting a copy of those criteria in your rental office. If you do not have a rental office that all applicants visit, **they suggest attaching a copy of the criteria to every application you give out.**

*A people that values its
privileges above its
principles soon loses
both.*

Dwight D. Eisenhower

**By itself, this information will
scare off only a few people
involved in illegal activity.**

**Many expect landlords to be too
interested in collecting rent to
care about applicant screening.**

Using written notices

**If you are going to use written criteria, remember to have
applicants read the document.**

Posting information alone is of limited prevention value unless
applicants know it is there.

It is important to *follow through in word and action* by continually reinforcing the point that you enjoy helping honest tenants find good housing by carefully screening all applicants, and then actually screen them.

WRITTEN TENANT CRITERIA: WHAT TO POST (Continued)

The following is intended as a “generic” example of information a manager might post and direct each applicant to read. The intent is to encourage every honest tenant to apply, while providing dishonest applicants with an early incentive to seek housing elsewhere. Every drug dealer who doesn’t apply is one more you don’t have to deal with.

Introduction

“Set the tone” for your applicants. You want to make sure that good applicants want to apply and that bad applicants may begin to think twice.

Here’s one approach

Sample introduction document

We are working with neighbors and other landlords in this area to maintain the quality of the neighborhood. We want to make sure that people do not use rental units for illegal activity. To that end, we have a thorough screening process.

If you meet the application criteria and are accepted, you will have the peace of mind of knowing that other renters in this area [apartment community] are being screened with equal care, and as a result, there may be a reduced risk of illegal activity occurring in the area.

Please review our list of criteria. If you feel you meet the criteria, please apply.

Please note that we provide equal housing opportunity: we do not discriminate on the basis of race, color, creed, religion, sex, sexual orientation, disability, national origin, or familial status.

Screening Criteria

A complete application

Sample written statement on application

- One for each adult (18 years of age or older).
- If a line isn't filled in, or the omission explained satisfactorily, we will return it to you.

This criterion makes sure that every application has enough information for you to make an informed decision.

One of the simpler methods for hiding one's financial history is to "forget" to fill in one's social security number or date of birth on the application form. Without a name, social security number, and date of birth, credit checks cannot be run. To the person contemplating illegal activity, this requirement will communicate the message that you will actually screen your applicants. That message alone will turn away some.

This rule also allows you to receive an application from each roommate and not just the one with the good rental history. People involved in illegal activity may have friends and roommates who still have clean credit or a good rental history. The obvious approach for such people is to have the person with the good rental history apply and then follow that person into the unit. You have a right to know who is planning to live in the unit, so require an application, and verify the information for each person.

Rental history verifiable from unbiased sources

Sample written statement on application

If you are related by blood or marriage to one of the previous landlords listed, or your rental history does not include at least two previous landlords and X number of years, we will require: a qualified co-signer on your rental agreement (qualified co-signers must meet all applicant screening criteria) or an additional security deposit of X amount.

It is your responsibility to provide us with the information necessary to contact your past landlords. We reserve the right to deny your application if, after making a good faith effort, we are unable to verify your rental history.

If you owned, rather than rented, your previous home, you will need to furnish mortgage company references and proof of title ownership or transfer.

To process your application you will need to sign a release to contact your previous landlord.

Rental history verifiable from unbiased sources (Continued)

Variations of this rule have been used by many landlords to address the issue of renting to those who do not have a rental history or those who say, "I last rented from my mother (or father, aunt, or uncle)." This makes it harder for a dishonest applicant to avoid the consequences of past illegal behavior, while loyal relatives may say a relation is reliable, they might think twice about co-signing if they know that isn't true.

If requiring a co-signer seems unwieldy for your type of rentals, you may want to offer a different option: require additional pre-paid rent or security deposit from people who don't have a verifiable rental history.

Sufficient income/resources

Sample written statement on application

If the combination of your monthly personal debt, utility costs, and rent payments will exceed X% of your monthly income, before taxes, we will require a qualified co-signer on your rental agreement (or an additional deposit of X amount). If the combination exceeds X + Y (additional) source of monthly income) % of your monthly income, your application will be denied.

We must be able to verify independently the amount and stability of your income. (For example: through pay stubs, employer/source contact, or tax records. If self-employed: business license, tax records, bank records, or a list of client references.)

For Section 8 applicants, the amount of assistance will be considered part of your monthly income for purposes of figuring the proportion.

You can, and should, verify self-employment. Drug dealers may describe themselves as self-employed on the assumption that you will have to take their word as verification. Some will be unprepared to supply tax returns, a copy of a business license, or other verification.

It may also be appropriate to remove income requirements for Section 8 applicants since the Lafayette Housing Authority (LHA) will have already determined the amount of subsidy based on ability to pay. Note also that some landlords include a condition for those applicants who do not have a regular monthly income, but do have substantial savings on which to draw. Landlords who set such guidelines often define a minimum cash net worth (described as a multiple of the monthly rent) for people in this category.

Two pieces of I.D. must be shown

Sample written statement on application

- We require a photo I.D., (a driver's license or other government issued photo identification card), and a second piece of I.D. as well be presented with completed application.

This is a simple and effective rule. Note that the second piece of identification does not have to be very "official" (a credit card, student ID card, or many other types of cards will do).

The issue is that a person who carries false identification may not have two pieces of false I.D. with the same name on it.

Indiana does not currently specify "age" as a defined protected class in rental housing; however, this is an area to keep informed on legislative changes. The current state law specifies "age" as a protected class in employment only. If "age" is added as a protected class in housing, you may need to exercise particular care in asking for a photo I.D. that will typically show date of birth to ensure that the process is done in a manner consistent with the state legislation. However, to sign a contract (i.e. lease) you must be at least 18 years of age or an emancipated minor.

Section 8 information access

Sample written statement on application

- Section 8 applicants must sign a consent form allowing the Lafayette Housing Authority to verify information from your file regarding your rental history.

False information is grounds for denial

Sample written statement on application

- You will be denied rental if you misrepresent any information on the application. If misrepresentations are found after a rental agreement is signed, your rental agreement will be terminated.

If your applicants are not honest with you, you may turn them down. It's that simple.

Criminal convictions for certain types of crimes will result in denial of your application

Fair Housing and Criminal Background Checks¹

With criminal background checks, discrimination is a crime.

Criminal background checks are an integral part of resident screening. Most landlords who use criminal background checks as part of the tenant screening process will reject an applicant with a criminal record that shows any of the following:

- Conviction of any felony.
- Conviction of crimes against people or property.
- Conviction of crimes involving the manufacture, sale or distribution of controlled substances.
- Conviction of crimes involving solicitation or prostitution.

If you obtain criminal background checks and your rental criteria provides for rejection as noted above, consider these questions:

- Are applicants that have served their sentence still disqualified from consideration?
- Are applicants who have been arrested, but not yet tried, to be disqualified?

In some areas, it can take months or years for a case to come to trial.

Remember, you must treat all applicants the same! You cannot pull a criminal history report for one applicant and not another who is applying for the same property.

Sample written statement on application

- You will be denied rental if, in the last X years, you have had a conviction for any type of crime that would be considered a serious threat to real property or to other residents' peaceful enjoyment of the premises, including the manufacture or distribution of controlled substances.

This criterion is more controversial than it may seem, because people who have completed their prison terms need a place to live.

Under a 2007 law, IC 11-10-12-5, the Indiana Department of Corrections assists committed offenders in applying for assistance under the federal Temporary Assistance for Needy Families (TANF) program, so that the committed offender might be eligible for assistance when released on parole, assigned to a community transition program; or discharged from the department. Indiana elected to opt out of the Federal Code which makes convicted offenders ineligible to receive federal aid.

¹ National Tenant's Network, <http://www.ntnonline.com/resident-screening/resources/criminal-background-checks.cfm>.

Criminal convictions for certain types of crimes will result in denial of your application (Continued)

Under the Department of Corrections program summary, a case manager develops the individualized Re-Entry Accountability Plans that outlines and coordinates the delivery of services necessary to ensure successful transition from incarceration to a community. Services include, but are not limited to: 1) enrollment in Medicaid, Food Stamps, TANF, and SSI; 2) issuance of birth certificates and BMV identification; 3) participation in workforce development programs; 4) limited rental assistance; and 5) referral to other community services.

In a program aimed at reducing homelessness among those released from state/local facilities/institutions, the Indiana Interagency Council to End Homelessness set recommendations for an integrated statewide program partnering with The Family and Social Services Administration (FSSA), U.S. Department of Veteran Affairs (DVA), Indiana Department of Correction (DOC), Community Corrections Advisory Boards, and Indiana State Department of Health (ISDH). The goal of the first year (2008) is to have 50% of people leaving state/local facilities and institutions with a housing plan in place prior to release.

TANF housing assistance is traditionally provided through Section 8 or tenant-based (Housing Choice) housing vouchers.

Successful integration of the population is desired in the community and the hope is that this proactive support of committed offenders will lower the rate of recidivism. This is new territory for our state and not enough is known about the plan, however, programs with similar states have seen promising results. It is not clear as to whether the released population will become a protected class in order to secure housing, which has been the case in some states that have taken on similar initiatives.

As this program evolves, the HUD Office of Fair Housing and Equal Opportunity, and the Indiana Housing and Community Development Authority will be your best resources on current HUD policies and how they will be applied under the new Indiana law.

Another area which may make use of this restriction difficult, is with re-entry court participants, which, in accordance with U.S.C. Title 21: 862a (d) (1), Indiana elected to opt out of the application of U.S.C. Title 21: 862a (a) for individuals participating in a reentry court program, which makes them eligible for the public assistance, sometimes including housing. Again, a successful transition into the community is the desired outcome, so it is advised that you become familiar with the re-entry programs and representatives in Tippecanoe County.

For property owners who do not receive housing subsidies, don't use this requirement as a crutch as many drug dealers haven't yet been convicted of a crime. In addition, few people who are planning to use a rental for illegal activity, whether or not they have a criminal record, will have a verifiable, clean rental history.

Certain court judgments against you may result in denial of your application

Although, in most cases, you may turn down applicants who have been through a recent court-ordered eviction, we recommend maintaining flexibility for some instances. After all, some evictions are not deserved. It also seems inherently fairer to give people who have made a single mistake the chance to improve.

Sample written statement on application

- If, in the last X years, you have been through a court ordered eviction, or had any judgment against you for financial delinquency, your application will be denied. This restriction may be waived if there is no more than one instance, the circumstances can be justified, and you provide a qualified co-signer on your rental agreement.

Sample written statement on application

- Occasional credit records showing payments within X to Y days past due will be acceptable, provided you can justify the circumstances. Records showing payments past Z days are not acceptable.

Poor credit record (overdue accounts) may result in denial of your application

If you are renting property, you are effectively making a loan of the use of your property to your tenant. Banks don't loan money to people with poor credit. You don't have to loan the use of your property either. Note that the numbers of days listed are left up to you to set limits.

Sample written statement on application

You will be turned down if previous landlords report significant complaint levels of noncompliance activity such as: repeated disturbance of the neighbors' peace; reports of prostitution, drug dealing, or drug manufacturing; damage to the property beyond normal wear; reports of violence or threats to landlords or neighbors; allowing persons not on the lease to reside on the premises; failure to give proper notice when vacating the property.

Also, you will be turned down if a previous landlord would be disinclined to rent to you again for any reason pertaining to lease violating behavior of yourself, your housemates, guests, your pets, or others allowed on the property during your tenancy.

**Poor credit record (overdue accounts) may result in denial of your application
(Continued)**

You may also want to have exceptions for specific types of bills. For example, you might wish to allow exceptions if the only unpaid bills are for medical expenses. However, regardless of what other exceptions you define, remember that it is a very poor idea to accept tenants who have a history of not paying previous landlords. If they didn't pay the last landlord, they may not pay you either.

Poor references from previous landlords may result in denial of your application

Once again, there is nothing illegal about setting fair criteria and holding all applicants to the same standards. By the consistent use of such guidelines, you can retain full and appropriate control over who lives in your rental units and who does not.

There is a \$X earnest deposit, conditionally refundable

Sample written statement on application

- If you are accepted, the deposit will be applied to your security deposit. If you withdraw your application after we have incurred screening expenses, we will not refund your deposit. In all other cases, the deposit will be refunded.

[illegible]

We will accept the first qualified applicant

In the interests of ensuring that you meet the requirements of fair housing law, this is the best policy to set. Take applications in order, noting the date and time on each one. Start with the first application. If that applicant meets your requirements, go no further, offer the unit to the first applicant. This is the fairest policy you can set, and it helps make sure that you do not introduce inappropriate reasons for discriminating when choosing between two different, qualified applicants.

Alternatively, you could set at different policy for how you select among multiple applicants, provided your criteria does no result in illegal discrimination.

For example, you could set a policy that gives preferences based on length of stay at the last rental or on the number of pets the competing applicants are planning to bring with them.

The key is to assure that every applicant who does apply is committed to renting the unit. That way the landlord doesn't waste time and money screening those who are not planning to rent. Also, this requirement may discourage some people involved in illegal activity from applying.

However, because of the opportunity for abuse, and the potential perceived unfairness by otherwise qualified applicants who are turned down, a first come, first served policy seems to be the most appropriate way to choose between qualified candidates.

Advice on Fair Housing

- **HUD Office of Fair Housing and Equal Opportunity:**

<http://www.hud.gov/offices/fheo/index.cfm>

- **Indiana Civil Rights Commission:**

<http://www.in.gov/icrc/index.htm>; 317-232-2600, 800-628-2909, Hearing Impaired 800-743-3333

- **Fair Housing Laws and Presidential Executive Orders:**

<http://www.hud.gov/offices/fheo/FHLaws/index.cfm>

[illegible]

Rental Agreement

Some landlords post a copy of the rental agreement next to their screening requirements. Others offer a copy to all who wish to review it, while some attach the rental agreement to the application.

The key is to make sure that each applicant is aware of the importance you place on the rental agreement. In addition, you may want to set a procedure to ensure that every applicant is aware of key elements of the agreements that limit a tenant's ability to allow others to move onto the property without the landlord's permission.

Sample written statement on application

If you are accepted, you will be required to sign a rental agreement in which you will agree to abide by the rules of the rental unit or complex. A complete copy of our rental agreement is available for anyone who would like to review it. In particular, in addition to other important requirements, please note that your rental agreement will:

- **Require that you prevent all household members, guests, and visitors from engaging in any lease violating behavior**
- **Forbid you and any member of your household, or your guests, from engaging in illegal drug use, sale, manufacture, distribution, or other criminal activity on or near the property**
- **Limit your ability to allow guests to stay for long periods without the advance permission of the landlord**
- **Provide that serious or repeated violations of the lease requirements on these items, or any other item addressed by the rental agreement, will result in termination of your rental agreement**

Please read the entire rental agreement carefully, as we take each part of the agreement seriously. The agreement has been written to help us prevent illegal activity from disturbing the peace of our rental units and to help make sure that our tenants are given the best housing we can provide.

Rental Agreement (Continued)

You may also require that all applications be completed in person

It is much more difficult for someone providing false information to do so in person. It is recommended that you complete an application interview. Potential tenants should know their address, birthday, former address without having to look it up.

ABOUT SECURITY DEPOSITS

In Indiana, property owners are allowed to take a maximum of two months rent as a security deposit. A security deposit may be used only to reimburse the landlord for actual damages to the rental unit that is not the result of ordinary wear and tear. When stipulated in the rental agreement, a security deposit may also be used to pay the landlord any debt that is owed such as rent arrears; due for premature termination of the rental agreement by the tenant, to pay for the last rental payment, to pay for unpaid utility or sewer charges.

Watching their demeanor during an interview can signal to you whether the applicant is suspicious.

Notice of damages, Refund of remaining deposit, Liability for withheld deposits

Indiana Code states that a landlord must provide written notice to the tenant of the itemized damages claimed within forty five (45) days after the termination of the rental agreement. The written notice must list the estimated cost of repair for each damaged item; and the amounts and lease on which the landlord intends to assess the tenant (IC 32-31-13). The landlord must include with the list, a check, or money order for the difference between the damages claimed and the amount of the security deposit held by the landlord. Failure by a landlord to provide notice of damages constitutes agreement by the landlord that no damages are due, and the landlord must remit to the tenant immediately the full security deposit (IC 32-31-15).

It is the obligation of the tenant to provide in writing a mailing address to the landlord upon vacating the property. The Landlord is not liable until the tenant has provided an address where the notice can be sent. The tenant is not allowed to apply the security deposit to rent, unless otherwise agreed upon.

If a landlord fails to provide an itemized written statement or return the security deposit amount in full within forty-five (45) days, they are liable to the tenant in an amount equal to the part of the deposit withheld by the landlord, plus reasonable attorney's fees and court costs (IC 32-31-3-16). It is suggested that you send the notice to the last known address and mark "Please Forward" in these cases. If the envelope is returned, keep it as documentation of your attempt.

- **For more information about fee and deposit policies, as well as guidance on appropriate forms to use,** refer to **Indiana Constitution** at <http://www.in.gov/legislative/ic/code/const/> and contact a local property management association or an experienced landlord/tenant attorney.
- **For those who run multi-family units,** you may also wish to consult the Lafayette Housing Authority at 771-1300 or another knowledgeable source about **how to implement a fair waiting list policy** for qualified applicants who are willing to wait for an available unit.

The preceding criteria include a number of examples where exceptions are made in borderline cases if the applicant can provide a co-signer. Alternately, some flexibility can also be introduced by setting rules that require borderline applicants to provide larger deposits or more prepaid rent. Introducing such flexibility to your application process can make sure, for example, that you do not turn down good applicants who have a justifiable problem on their credit report.

Never discourage anyone...who continually makes progress, no matter how slow.

[illegible]

APPLICATION INFORMATION: WHAT TO INCLUDE

The best approach is to avoid reinvention of the wheel. Contact a local legal publishing company, a rental housing association, or your own attorney for copies of appropriate forms.

Whether you are using application forms or rental agreements, make sure you have forms that were designed specifically for Indiana and are up-to-date with any recent changes.

Basic requirements, however, the key is to personalize a lease for your specific property

- **Full name, including middle**
- **Date of birth**
- **Driver's license/I.D. number and state**
- **Social security number** (you'll need it for the credit check)
- **Name, date of birth, and relation of all people who are going to occupy the premises**
- **Name, address, and phone number of past two landlords**
- **Income/employment history for the past year**
 - Income/salary, contact/supervisor's name, phone number, address; if self-employed, ask for copy of business license, tax returns, bank records, or client references
- **Additional income**
 - It is only necessary to list income that the applicant wants included for qualification (i.e. child support)
- **Credit and loan references**
 - Auto payments, department stores, credit cards, other loans
- **Bank references**
 - Bank name, account number, address, phone number
- **AS APPROPRIATE**
 - Name and phone number of a relative to call in case of emergency; information about pets and deposit rules; other information required for application

Additional questions to consider adding to your lease

The following question is not typically on standard forms, but could be added.

If you are going to use it, make sure you include it on all application forms and not just some of them.

In the last X years, have you, or any other person named on this application, been convicted for dealing or manufacturing illegal drugs?

- (You could also ask about other types of crime that would constitute a threat to the health, safety, or welfare of other tenants or neighbors — burglary, robbery, sexual assault, and child molestation are common examples.)

Of course, if they do have a conviction, they may lie about it. However, if you discover they have lied, you have appropriate grounds for denying the application or, with the right provision in your lease, terminating the tenancy. Also, it is one more warning to dishonest tenants that you are serious in your resolve.

The older I get the more wisdom I find in the ancient rule of taking first things first. A process which often reduces the most complex human problem to a manageable proportion.

Dwight D. Eisenhower

[illegible]

HOW TO VERIFY INFORMATION

Many landlords are surprised to receive calls from other landlords inquiring about the quality of a past tenant. Apparently, it doesn't happen often enough. As one landlord put it, "You can spend \$100 in time and money up front or be stuck with thousands later." As another put it, "99% of these problems can be avoided through effective screening. There is no better investment you can make."

As you review the below, keep in mind that you will not have to do every step for each applicant, but the basics, written in **RED** letters, should be done every time.

VERIFICATION **IF YOU IMPLEMENT NO OTHER RECOMMENDATIONS IN THIS** **MANUAL, IMPLEMENT THESE**

- **Compare the I.D. to the information given**
 - Make sure the photo I.D. matches the applicant and the information matches that given on the application form. If the picture, address, and numbers don't match the application information, find out why. You may have cause to turn down the application. Unless obvious inconsistencies can be explained and verified to your satisfaction, you don't have to rent to the applicant. It is also recommended to ask for other last names used and document what names are given.
 - **Have a credit report run and analyzed**
 - A credit report will provide independent verification of much of the application material. You can find out about past addresses, court ordered evictions, credit worthiness, past due bills, and other information. The reports are not foolproof, but they provide a good start. Here are your options:
 - **Join a credit bureau directly**
 - If you are managing a number of units and are likely to be screening multiple applicants every month, you may find it cost-effective to join a credit bureau directly and spend the time to learn how to interpret their reports. While this is an option, note that even some very large management companies go through associations or contract with applicant screening firms to gain the benefit of their outside expertise.
- Or:
- **Have a third party pull the report and offer interpretation**
 - If you are not screening a sufficient volume of applicants, or would like assistance in interpreting the reports, contact an applicant screening firm or local rental housing association for assistance. Services vary from organization to organization and you should shop for the organization that best meets your needs. At one end of the spectrum are organizations that handle the entire applicant screening process for you. At the other end of the spectrum are organizations that simply pull the reports and mail you a copy. There are many variations in between.

**IF YOU IMPLEMENT NO OTHER RECOMMENDATIONS IN THIS MANUAL,
IMPLEMENT THESE (Continued)**

- **Independently identify previous landlords**

- The most important calls you make are to the previous landlords. The best indicator of a tenant's future behavior is his or her past behavior. To begin, verify that the applicant has given you accurate information:
- **Verify the past address through the credit check**
 - If the addresses on the credit report and the application don't match, find out why. If they do match, you have verification that the tenant actually lived there.

Verifying Past Address:

- **Tippecanoe County's GIS System:**

Be sure and print for records

- **Verify ownership of the property through the tax rolls**
 - A call to the county tax assessor will give you the name and address of the owner of the property that the applicant previously rented. (Title companies and real estate brokers typically have ready access to this information as well.) If the name matches the one provided by the applicant, you have the actual landlord.

If the name on the application doesn't match with tax rolls, it could still be legitimate. Sometimes tax rolls are not up to date, property has changed hands, the owner is buying the property on a contract, or a management company has been hired to handle landlord responsibilities. However, most of these possibilities can be verified. If nothing else, a landlord who is not listed as an owner on the tax rolls should be familiar with the name of person who is listed, so ask when you call.
- **If possible, crosscheck the ex-landlords' phone numbers out of the phone book**
 - This will uncover the possibility of an applicant giving the right name, but a different phone number (e.g., of a friend who will pretend to be the ex-landlord and vouch for the applicant). If the owner's number is unlisted, you will have difficulty verifying the accuracy of the number provided on the application. The local phone company may be willing to give you the name of the person who uses the number on the application, although in most cases they won't.

Now you have verified the landlord's name, address, and perhaps even phone number. If the applicant gave you information that was intentionally false, **deny the application**. If the information matches, call the previous landlords.

IF YOU IMPLEMENT NO OTHER RECOMMENDATIONS IN THIS MANUAL, IMPLEMENT THESE (Continued)

Remember, if the applicant is currently renting somewhere else, the present landlord may have an interest in moving the tenant out and may be less inclined to speak honestly. In such an instance, your best ally is the landlord before that, the one who is no longer involved with the tenant. Be sure you locate and talk to a past landlord with no current interest in the applicant.

- **Have a prepared list of questions that you ask each previous landlord**
 - Applicant verification forms, generally available through rental housing associations or through legal publishing companies, give a good indication of the basic questions to ask. You may wish to add other questions that pertain to your screening criteria. In particular, many landlords we spoke with use this question: "If given the opportunity, would you rent to this person again?"
 - Also, if you suspect the person is not the actual landlord, ask about various facts listed on the application that a landlord should know the address or unit number previously rented, the zip code of the property, and the amount of rent paid. If the person is unsure, discourage requests to call you back and offer to stay on the line while the information is looked up.
- **Get co-signers if necessary**
 - If the applicant meets one of your defined "borderline" criteria, such as having rented from a relative previously, and you have posted the appropriate rule, require that a co-signer apply with the applicant. Verify the credit and background of the co-signer just as you would a rental applicant. To ensure the legal strength of the co-signing agreement, you may wish to have your attorney draw up a document you can use for such purposes.
- **Verify income sources**
 - Call employers and other contacts using phone numbers from the directory. If an applicant is self-employed, get copies of bank statements, tax returns, business licenses, or a list of client references.

Don't cut corners here: many drug distributors wear pagers, have cellular phones, and generally appear quite successful, but they cannot verify their income with tax returns, bank statements, or references from established clients.

**IF YOU IMPLEMENT NO OTHER RECOMMENDATIONS IN THIS MANUAL,
IMPLEMENT THESE (Continued)**

VERIFY that the applicant has given you accurate information:

- **Consider checking for criminal convictions**

- The process for obtaining criminal background information will vary by area, however, in Tippecanoe County; you have the right to obtain such information. Tippecanoe County court system has a website to check out court activity. One cautionary note: many attorneys advise that conviction, but not arrest, may be used as a basis for rejecting an applicant. Patterns of arrest have proved to be discriminatory against protected classes and, as such, would be inappropriate to use as a screening criterion.
- Note, that many law enforcement agencies may not be able to disclose information about criminal background. If your local law enforcement agency tells you they cannot release information, this doesn't necessarily mean the information is unavailable. It may only mean that the information is not available through that channel. You may need to go directly to court records to obtain the information you need. There may also be private tenant screening firms in your area that will do criminal background searches for you.

Your chances for getting verifiable information are best if you have the applicant's name, other names they have used, date of birth, social security number, and current address.

Resist the urge to rely too heavily on this screening technique because there are many criminals who have not yet been convicted of a crime.

- **Verify all other information according to your screening criteria**

- Remember, before you call employers, banks, or other numbers listed on the application, verify the numbers through your local phone book or long distance directory assistance.

ILLEGAL ACTIVITY BACKGROUND CHECKS

- **Tippecanoe County Court Records**, <http://www.tippecanoe.in.gov/court/pa.urd/pamw6500-display>
- **Tippecanoe County Prosecutor's Bad Check List**, <http://www.tippecanoe.in.gov/prosecutor/checks/index.asp>
- **Tippecanoe County Sheriff's Records Division- Criminal Records Requests**, <http://www.tippecanoe.in.gov/sheriff/division.asp?fDD=22-257>
- **Indiana State Police**, call 317-234-2631 to request a full criminal history check.

A NOTE ABOUT HIRING EMPLOYEES

Many rental property owners hire employees to assist with tenant screening, routine maintenance, and other tasks. It is critical that resident managers and other “agents” of the landlord be screened even more thoroughly than applicants are for tenancy. In general, when an employee breaks the law while on duty, both the employee and the employer can be held responsible by the party that is harmed by the action. When the employee violates an element of rental housing law, the liability you will hold for employee misbehavior should be reason enough for extra screening efforts.

One screening tool that you will want to seriously consider for job applicants is a criminal conviction check, even if you don’t check criminal backgrounds on prospective renters.

Once property managers are hired, make certain they are trained in effective applicant screening, along with the warning signs of dishonest applicants. Also, be sure they understand, and follow, the requirements of fair housing laws.

***A leader is a man
who can adapt
principles to
circumstances.***

George Patton

***No man will make a great
leader who wants to do it
all himself or get all the
credit for doing it.***

Andrew Carnegie

HOW TO TURN DOWN AN APPLICANT

In general, if you have posted fair rental criteria and you screen all applicants against those criteria, you may safely reject an applicant who does not meet your guidelines. Opinions vary regarding the amount of information that is required to be given to an applicant who is denied a rental unit. (Note: if you are managing public housing or publicly subsidized units, your disclosure requirements may be greater than the ones described here.) We recommend, at the minimum, following the guidelines defined by the federal government in the Fair Credit Reporting Act for denial of credit.

The following is intended as a general overview of how it works for two different types of applicant rejections. (See the law itself for an exact description)

- **If the rejection is based on information, in whole or in part, from non-paid sources** (the word of a previous landlord, for example)
 - While you are not required to disclose immediately your reason for rejecting applicants in these situations, you are required to advise applicants of their right to submit, within 60 days, a written request for that information and their right to a response from you, within a reasonable period of time, disclosing the nature of the information upon which the adverse decision was made.

Notice of rejection: *Sample wording*

“Based on a check of information you provided in your application, you do not meet our posted rental criteria. If you have questions about this decision, you may submit a request in writing to (your name and address) within 60 days, and we will explain the basis for the decision within a reasonable period of time.”

Of course, if you receive such a request, then report the nature of the information upon which the adverse decision was based. Again, if your screening criteria is free of illegal discrimination and you have applied your criteria consistently, then you may safely reject applicants who do not measure up.

Note this small additional requirement if the rejection is based on information from a person who is your “affiliate” (e.g. a co-worker or co-owner): The process is identical to that described above, except that the required response time is specifically stated: 30 days or less from the date, the landlord receives the rejected applicant’s written request.

HOW TO TURN DOWN AN APPLICANT (Continued)

When possible, keep it simple. For example, if you are turning down an applicant simply because you accepted an earlier applicant, just say so. Or, if one look at the application indicates that the person doesn't have nearly enough income to rent the unit, don't make the applicant wait a week to find out. Again, just say so.

- **If the rejection is based, in whole or in part, on information from a credit report, screening company, or other organization that you pay to provide screening information**
 - Because of the potential for abuse of, or misinformation in, credit reports, the Fair Credit Reporting Act requires that very specific information be provided to applicants who are rejected based on information obtained from a "consumer reporting agency." While the information may be provided orally, it is a good idea to give written notification just to make sure your are in full compliance with the Act. The following is only intended as a brief orientation. The screening company or other consumer reporting agency you work with should be able to answer your questions and provide you with a simple, written form to help ensure you are in full compliance with the Act.

In situations where adverse decisions are based, in whole or in part, on information from a consumer credit report, a landlord is required to provide the rejected applicant all of the following information.

Notice of the rejection. *Sample wording*

- **"Based on information we have received from your credit report (or other paid source) you do not meet our written rental criteria and we have therefore chosen to deny your application for tenancy."**
- The name, address and telephone number (including a toll-free number if the agency is one that keeps nationwide consumer files) of the consumer reporting agency used that furnished the information.
- That the consumer reporting agency did not make the decision to reject the applicant and therefore it is likely that they will not be able to explain the reason for the adverse decision.
- That the applicant has the right to contact the consumer reporting agency within 60 days to receive a free copy of their report.
- That the applicant has the right to dispute the accuracy or fairness of information in a consumer report furnished by the consumer reporting agency.

HOW TO TURN DOWN AN APPLICANT (Continued)

(Note: Have applicants get a copy of their consumer report directly from the credit reporting agency, rather than, for example, providing the applicant with a photocopy of the report you received.)

Again, in the interests of proving you have met disclosure requirements, you may want to hand out an information sheet with the disclosure process described and appropriate addresses provided.

OTHER SCREENING TIPS AND WARNING SIGNS

The following are additional tips to help you screen applicants. You should also be familiar with the warning signs described in the chapter on Warning Signs of Drug Activity.

Consider using an “application interview”

Some landlords have started conducting a brief oral interview, often at the same time they accept the written application. Landlords who use this approach find it has these advantages:

- **First**, applicants don't know which questions are coming, so it is harder to make up a story, something that shouldn't bother an honest applicant, but may uncover a dishonest one.
- **Second**, the landlord has the opportunity to watch responses and take mental notes of answers that seem suspicious.

For example, honest applicants usually know their current phone number or middle name without having to look it up.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

Consider using an “application interview” (Continued)

The interview involves, at minimum, making sure the applicant can repeat basic information requested on the application form without reading it. For example, the landlord might ask the applicant to verify his or her full name, current phone number, current address, and other pieces of information that most honest applicants will be familiar with without having to look up.

As with all policies you set, if you decide to do application interviews, you should include a commitment to making reasonable accommodations for those who cannot comply due to status in a protected class, e.g., a handicap that causes a speech problem, or possibly language skills associated with a particular national origin.

If you choose not to use an interview approach, *at minimum observe the way the application is filled out.* Applicants may not remember the address of the apartment they were in two years ago, but they should know where they live now, or just came from. Generally, honest applicants can remember their last address, the name of their current landlord, and other typically “top-of-mind” facts about their life.

Consider a policy requiring applications to be filled in on site

Such a policy should not be a barrier to honest applicants. In most cases, they would have to return to bring back the signed application anyway. However, **the policy can dampen the ability of dishonest applicants to work up a story.**

Assuming you have communicated your commitment to keeping illegal activity off your property, such a rule may also allow dishonest or dangerous applicants to exit with minimal confrontation. Without an application in hand they are less likely to pursue making up a story and, once off the premises, they may simply choose not to return.

If you use such a policy, make sure it includes making reasonable accommodation for people whose particular handicap, or other protected characteristic, would otherwise result in the policy being a barrier to application.

Consider a policy requiring applications to be filled in on site (Continued)

Some property managers require all application forms to be filled in on the premises.

- An applicant may keep a copy of their form **only after it has been filled in, signed, and a copy left with the landlord or manager.**
- Applicants who are unsure of some information should fill in what they can, and come back to fill in the rest.

Watch for gross inconsistencies

When an applicant arrives in a brand new, luxury sports car and fills out an application that indicates a very low income, something may not be right. **There are no prohibitions against asking about the inconsistency or even choosing to deny the applicant if the style of living is grossly inconsistent with the stated income.** You may also deny the applicant for other reasons that common sense would dictate are clearly suspicious. Credit reports can also reveal such oddities.

While you may not discriminate on the basis of race, color, religion, sex, disability, national origin, sexual orientation, familial status (the presence of children), you may discriminate on the basis of many other factors, provided the effect is not a disproportionate denial of a protected class. If you deny the applicant for such a reason, record your evidence and the reason for your decision. Be careful when making decisions in this area, but don't assume your hands are tied. The law is written to prevent discrimination against protected classes. You are not required to look the other way when gross inconsistencies are apparent.

For example

- If the applicant is paying out much more per month to service credit card debts than the applicant is taking in as income, something isn't right.

Many don't realize it, but unless such a decision would cause a disproportionate rejection of a protected class (e.g., race, color, religion, and others) the law allows room to make such judgment calls.

Be aware that people involved in illegal activity may use “fronts” to gain access to your property

You may rent to someone who has an acceptable rental history and no record of illegal activity, yet once that person moves in, boyfriends, girlfriends, or other acquaintances or family members move in and begin dealing drugs and generating other crime or nuisances. In some cases, the people you thought you rented to don't move in at all. After using their good references to rent the unit, they give the key to drug dealers, for a fee.

Across the nation,

it is the permission given by tenants to guests and others, who have not signed the rental agreement, that causes the greatest degradation in the quality of life in rental housing communities, both public and private.

Warning applicants that they will be held accountable for their guests, and then enforcing such a requirement with your tenants, is a cornerstone of protecting your property and the surrounding neighborhood. Make sure your tenants know that they must control their guests, and if they cannot, they should ask for help quickly.

Most rental agreements specify that only people named on the agreement are allowed to use the unit as their residence.

Make sure such a stipulation is in your rental agreement and point it out to all applicants, and emphasize that having another person move in requires submitting that person's application and allowing you to check references before permission is granted.

If you make it clear you are enforcing these rules only to prevent illegal activity, you may scare away potential drug dealers, but keep good renters feeling more protected. You may further calm concerns of good renters if you assure them that you will not raise the rent because an additional person moves in.

Watch out for Friday afternoon applicants who say they must move in that very weekend

Drug dealers know that you may not be able to check references until Monday, by which point they will already be in the rental unit. Tell the applicant to find a hotel or a friend to stay with until you can do a reference check. Could it cost you some rent in the short run? Yes. Will it save you money in the long run? *Absolutely.* Ask any landlord who has dealt with a drug problem in a rental unit. It is worth avoiding. (Some landlords allow weekend applicants to move in if they can independently verify their story. But you are better off waiting until you can verify the entire application.)

*Experience teaches us
that it is much easier to
prevent an enemy from
posting themselves than it
is to dislodge them after
they have got possession.*

George Washington

Observe the way applicants look at the unit

Do they check out each room? Do they ask about other costs, such as heating, garbage service, and others? Do they mentally visualize where the furniture will go, which room the children will sleep in, or how they'll make best use of the kitchen layout? Or did they barely walk in the front door before asking to rent, showing a surprising lack of interest in the details?

People who are planning an honest living care about their home and often show it in the way they look at the unit. Some who rent for illegal operations forget to pretend they have the same interest.

Also, if the applicant shows little interest in any of the property except the electrical service, take note: both meth labs and marijuana grow operations can include rewiring efforts.

Consider alternate advertising methods for your property

Houses that are within a few miles of colleges or business parks may be desirable housing for students or professionals. Some landlords have found success in posting advertising at such locations, thus targeting people who already have a credible connection with the community.

If you are going to consider such an approach, keep in mind that fair housing guidelines apply in all aspects of managing rental housing, including advertising selection. Advertising through community colleges only may be acceptable, because such colleges typically enroll a broad cross-section of the community. But, for example, **it would be inappropriate to advertise exclusively through a church newsletter or through the newsletter of a private club whose membership is not representative of the greater community.** Such approaches could set up patterns of inappropriate discrimination. Either expand your media selection or change it altogether to make sure you are reaching a fair cross-section of the public.

Consider driving by the tenant's current residence

Some property managers consider this step a required part of every application they verify. A visual inspection of applicants' current residences may tell you a lot about what kind of tenants they will be. Be sure you are familiar with drug warning signs before you look at previous residences.

Announce your approach in your advertising

Some landlords have found it useful to add a line in their advertisements announcing that they do careful tenant screening or that they run credit checks. The result can be fewer dishonest applicants choosing to apply in the first place. Select your wording with care. You don't want to use phrasing that in your community might be interpreted as "code" for telling a protected class that they need not apply.

Again, it is important to make sure that the opportunity to apply for your units, and to rent them if qualified, is open to all people regardless of race, color, religion, sex, disability, national origin, familial status, sexual orientation and any other classifications that may be granted civil rights law protection.

RENTAL AGREEMENTS

Consider

COMMENTS WE HEARD:¹

- *All the problems happen when the tenants have guests that visit regularly.*
- *I thought the HUD lease was the only lease I needed.*

ADVICE WE WERE GIVEN:

- *We've solved a lot of problems by using the right paperwork at the beginning of the rental term, it improves our legal position and it lets the tenant know we are serious from the start.*
- *If you haven't properly screened your tenants, a well-written lease allows you to take action on nuisance issues and criminal activity.*
- *Leases have to evolve like the market, what was considered best practices for tenant's leases 5 years ago is not adequate today.*

Chapter 4: RENTAL AGREEMENTS

Always put your rental agreement in writing

Landlords' efforts to obtain information about the tenants' credit history and information from prior landlords, and tenants' efforts to obtain information about the reliability of the landlord BEFORE the lease is agreed to reduced problems after the lease is in effect
Honorable Gregory J. Donat, Tippecanoe County, Superior Court No. 4

THE BASICS

- Minimize misunderstandings between you and your tenant, thus building a basis for clean and fair problem resolution down the road
- Be sure your rental agreement is current and comprehensive

USE A CURRENT WRITTEN RENTAL AGREEMENT

Many property managers continue to use the same rental agreements they started with years ago.

Federal and state law can change yearly, and case law is in constant evolution. **By using an outdated rental agreement, you may be giving up important rights.** If a problem tenant chooses to fight in court, an outdated rental agreement could cost you the case. Further, if you don't use a written rental agreement you are giving up even more rights and leave considerable more room for any oral agreements to be interpreted differently by your tenant and still differently by the courts.

There is a variety of sources for up-to-date rental agreements. Some property management associations provide rental forms and consider it their job to make sure they are consistent with current law. Local legal document publishing companies may also be good sources for effective rental agreements. Be sure, however, that you are buying a form that is developed for Indiana. "Generic" rental agreements sold nationwide will not work as well as more tailored agreements. Another option is to work with your attorney to develop a lease that suits your needs. Unless you are planning to work with your own attorney to develop a rental agreement, purchase updated forms from a local legal publishing company.

USE A CURRENT WRITTEN RENTAL AGREEMENT (Continued)

Web based document resources

- Lawdepot.com
- RealtyTimes.com
- Standardlegal.com
- Legalzoom.com
- Ezlandlordforms.com
- Landlord.com

MONTH-TO-MONTH, OR LONG-TERM LEASE?

In Indiana, a landlord can use a month-to-month rental agreement that allows either party to terminate the tenancy without specifying a cause on short notice, 30 days in many cases.

The key is to recognize how the written agreement can support a landlord's power to evict. While the maximum power to evict is gained by using a month-to-month rental agreement whenever it is legal to do so, such an arrangement may not be the best in every situation. Market factors, as well as the expectations of local landlords and tenants, will also play a role in determining the best approach.

Regardless of the type of agreement used, keep in mind that no tenant is protected from a landlord's enforcement action if the tenant violates local landlord/tenant laws or does not comply with a legal provision of the rental agreement. If tenants are in violation of the law, or are not in compliance with the lease, a landlord may serve notices that require the behavior to be corrected or the tenant to move out.

Also, remember that while the terms of your rental agreement are important, even the best rental agreement is not as valuable as effective applicant screening. ***The most important part of any rental agreement is the character of the people who sign it.***

No amount of legal documentation can replace the value of finding good tenants.

**John Campbell,
Developer of the National LTP**

ELEMENTS TO EMPHASIZE

Inspect the rental agreement you use to see if it has language addressing the following provisions. If the clauses are not in the rental agreement, consider adding them. To gain the most prevention value, you will need to point out the provisions to your tenant and communicate that you take your rental agreement seriously. Note that this list is not at all comprehensive; it only represents elements that are occasionally overlooked, and are particularly important for preventing and/or terminating drug-related tenancies.

Subleasing is not permitted

The Indiana state statute does not regulate subletting, but does allow the landlord to do so. This means that unless your rental agreement specifies otherwise, your tenants have the right to sublet to whomsoever they please. Make it clear that the tenant cannot assign or transfer the rental agreement and may not sublet the dwelling.

If you like, add this exception:

unless the sublease candidate submits to the landlord a complete application and passes all screening criteria.

You must maintain control over your property as too often the people who run the drug operation are not the people who rented the unit. This provision will not stop all efforts to sublease, but it may prevent some and it will put you in a stronger position if you have to deal with a problem subtenant.

ELEMENTS TO EMPHASIZE (Continued)

Only those people listed on the rental agreement are permitted to occupy the premises

If the tenant wants another adult to move in, that person must submit a completed application and pass the screening criteria for rental history. You need to define the difference between a “guest” and a “resident.” Since tenants are typically well within their rights to have guests stay with them for short periods of time, it is generally inappropriate for landlords to set rules that attempt to prevent the occasional overnight guest.

However, it is appropriate for landlords to place limits on the ability of the tenant to have other adults establish their residence at the rental without permission.

Check with a local property management association or your own legal advisor before setting this criterion. Assuring your tenant that you will take this clause seriously may curb illegal behavior by others. Having the stipulation spelled out in the rental agreement will put you in a better legal position should that become necessary.

No drug activity

Make it clear that the tenant must not allow the distribution, sale, manufacture, or usage of controlled substances on the premises. You could also add various other types of crimes, such as prostitution or other felony level criminal behavior on the premises. It’s already illegal, but spelling it out in the rental agreement can make it easier to serve eviction notices.

ELEMENTS TO EMPHASIZE (Continued)

The tenants are responsible for conduct on the property

Tenants should understand that they will be held responsible for the conduct of themselves, their children, and all others on the premises under their control.

Generally speaking, laws are designed to allow the tenant the same “my home is my castle” right to privacy as that enjoyed by any owner-occupant. However, with the right to private enjoyment of the “castle” comes the responsibility to control what goes on there. Spelling it out in the rental agreement will help create a mutual understanding.

For people who plan to “front” for illegal activity, this underscores the point that they will be given as little room as possible to protect themselves by claiming that acquaintances, and not themselves, were involved in the activity.

Wording on this provision should be done with care as you may not go so far as to hold victims responsible for the behavior of people who abused or intimidated them into silence.

The tenant will not unduly disturb the neighbors

Make it clear that the tenant will be responsible for making sure that all persons on the premises conduct themselves in a manner that will not interfere with the neighbors’ peace.

The issue here is not the occasional loud party. The issue is prevention of chronic nuisance behavior that can severely impact a neighborhood if the behavior is left unchecked. Generally, it is up to the landlord to set minimum behavior requirements for tenants. If properly outlined in the rental agreement, a landlord could enforce this type of requirement even if a written rental agreement has not been used. A review of the Nuisance Codes in Tippecanoe County is a good place to look for ideas that may be beneficial to include in your rental agreements.

What does disturbing the neighbors have to do with drug crimes? It doesn’t necessarily. But we know that managers who attend to their own obligations and require tenants to meet theirs are far more effective in preventing drug activity than those who look the other way as complaints of noncompliance roll in. It is almost never the case that a drug criminal’s first observed, evitable offense is the dealing or manufacturing of narcotics.

LEASE ADDENDUM FORBIDDING ILLEGAL ACTIVITY

Many rental owners have begun to attach an addendum to their rental agreements spelling out specific crimes that will be considered violations of the lease. There is a sample in the Appendix of this manual. Before using any sample form, have your attorney review it.

While the behaviors proscribed in such addenda are generally already against the law, spelling them out as prohibited in the lease may allow you additional legal choices should you have to evict tenants for allowing or conducting criminal behavior. Even more important, announcing your commitment to maintaining safe housing through the use of such a lease addendum can be a valuable tool to discourage those planning criminal activity from moving in.

PRE-MOVE-IN INSPECTION

This is a good time to stress the importance of conducting a walk-through of the unit prior to the tenant moving in.

Prior to signing the rental agreement, walk through the property with the tenant and make a visual inspection together.

Some landlords use check in/check out forms developed for the purpose, others take photographs, which are then signed by both parties, and still others make a pre-move-in video tape with the tenant. Regardless of the approach, agree on what repairs need to be done. **Write down the agreement and have both parties sign it.** Make any agreed-upon repairs and document that those have been completed as well.

Give copies to your tenant and keep signed and dated copies in your files.

Now, should your tenants damage the property, you have a way to prove it happened after they took possession of the unit. (Note: This also protects tenants. The pre-move-in inspection can prevent a bad landlord from trying to hold a tenant responsible for problems that predated the tenancy.)

RESIDENT'S HANDBOOK

Many apartment managers, as well as some single-family housing managers, provide a resident's handbook that spells out rules specific to the property being rented.

Property managers have found success with development of guidelines that restrict excessive noise levels, define behavior for common areas of the premises, and spell out rules for use of unique facilities such as pools or common laundry areas.

In general, managers of apartments may set additional rules for those common areas that are, in effect, "occupied" by management, not tenants.

For example

As the "occupant" of the common areas of an apartment complex, a manager may be able to ask police to remove visitors who are engaged in fights or other intimidating behavior taking place in the courtyard of the complex.

(See no trespassing below)

In this instance, as in others, managers may exercise more direct, immediate control over problems in the common areas of the property than they can over problems occurring on or inside the specific, privately rented property.

No-Trespassing

- If you find that your property has become unmanageable due to visitors engaging in illegal behavior, you can post a no-trespassing notice in a visible location and guests who are disrupting the quality of life for your tenants can be arrested for trespassing.
- This is another reason to clearly state that residents are responsible for the actions of their guest during the screening process and why it is important to clearly define a "guest" and a "resident", as well as, the length of time a visitor can stray without permission from the property manager in your rental agreements.

DISCLOSURE OF MANAGERS AND AGENTS

As per Indiana Code, the landlord is required to disclose and furnish to the tenant in writing, at or before the commencement of the rental agreement, the name and contact information of a person, who resides in Indiana, and is authorized to act as an agent and manage the unit, and will be available to the tenant, should the tenant have concerns or complaints or need assistance regarding the property.

It is important for your tenants to have the means to contact you in case of emergency or to alert you to illegal activity that may occur at your property. In the case of illegal activity, the sooner you are aware, the sooner you can take action to remedy the problem.

If tenants are not familiar with management, they are not going to feel comfortable reporting illegal behavior to you and by not taking action, you are sending a message that it is acceptable to engage in illegal activity on your property. Many well intentioned managers have been surprised when their tenants were found to be engaging in illegal activity on their property.

A good manager is visible, without being intrusive and has built healthy relationships with their tenants, who assist them by communicating issues that need to be addressed as they arise.

-

KEY PICKUP

As a final prevention step, some landlords require that only a person listed on the written rental agreement may pick up the keys. This is one more step in ensuring that you are giving possession of the property to the people on the agreement and not to someone else.

Note:

- The key should never be given out to anyone other than a resident who is listed on the lease.
- If it is given out to a non-resident friend and that person becomes a nuisance, it may be difficult to show that you were not aware they were living in the apartment since you gave them a key.
- Further, EMPHASIZE that an application must be completed for all potential tenants who will be living in the unit over the age of 18.

ONGOING MANAGEMENT

Consider

COMMENTS WE HAVE HEARD:¹

- *The tenant moved out and someone else moved in without us knowing it. Now we have drug dealers on the property and the courts insist they are legal tenants, even though they never signed a lease.*

ADVICE WE WERE GIVEN:

- *You need to follow one basic rule, you have to actively manage your property. The only landlords who go to court are the ones who don't actively manage their property.*
- *For most property managers the experience is one of putting out brush fires all day long. If property managers can take a more proactive approach to the process, they can build an ever improving set of renters, avoid a lot of legal hassles, and have fewer brush fires during the day.*
- *If your training teaches landlords nothing else, teach them that the neighbors in an area are not their enemies.*

¹ Note that some "complaints" contain inaccurate or incomplete assumptions about legal rights or procedure. Comments are made by property owners unless otherwise stated.

Chapter 5: ONGOING MANAGEMENT

What to do to keep the relationship working

Leadership and learning are indispensable to each other.

John F. Kennedy

THE BASICS

- Maintain the integrity of a good tenant/landlord relationship
- Strengthen communications between the landlord, tenants, and neighbors
- Help build a sense of community

DON'T BEND YOUR RULES

- A key to ongoing management of your property is demonstrating your commitment to your rental agreement and to landlord/tenant law compliance.
- Once you set your rules, enforce them.
- Make sure you meet your responsibilities, and make sure you hold your tenants accountable for meeting theirs.

By the time most drug problems are positively identified, there is a long history of evitable behavior that the landlord ignored.

When aware of a serious breach, take action before accepting the next rent payment.

If a landlord accepts rent while knowing that the tenant is breaking a rule, but the landlord has not acted to correct the behavior, the landlord could lose the right to serve notices for the behavior.

Landlord/tenant laws generally consider acceptance of rent equal to acceptance of lease violating behaviors about which the landlord has not objected. Further, regardless of the characteristics of your local law, it doesn't pay to teach your tenants that they are allowed to break the rules. So, at minimum, as soon as you discover violations of local landlord/tenant code or of your rental agreement, give tenants written notice that they are required to correct the problem. Then accept the rent.

DON'T BEND YOUR RULES

If someone other than the tenant tries to pay the rent, get an explanation.

Also, note on the receipt that the payment is for your original tenants only. Otherwise, by depositing the money, you may be accepting new tenants or new rental agreement terms.

If a person not on the lease may be living in the rental, pursue the issue immediately.

If you take no action to correct the behavior, and you accept rent knowing the tenant has allowed others to move in, you may have accepted the others as tenants as well. So either require the illegal subtenants to fill in a rental application and apply, or serve the appropriate notice that would require your original tenant to remove the subtenants under threat of eviction if the action is not taken.

Fix habitability and code violations at the property quickly. Maintaining habitable housing for tenants is the most important of a landlord's responsibilities. In addition, as discussed earlier, failure to maintain a unit could compromise a landlord's eviction rights. Tenants may be able to use a "retaliation" defense when a landlord attempts to evict after a tenant has complained that the rental is substandard.

When a tenant doesn't pay rent, address the problem.

Some landlords have let problem tenants stay in a unit, not just weeks after the rent was overdue, but months. While flexibility is important in making any relationship work, be careful about being too flexible. There is a big difference between being willing to receive rent late during a single month and letting your renters stay endlessly without paying. In general, nonpayment notices (directing the tenant to pay or vacate) are some of the faster eviction notices that a landlord can serve.

If neighbors call to complain of problems, pursue the issue.

Although it does happen, few neighbors call landlords about minor problems. If you get a call from a neighbor, find out more about the problem, and take appropriate action. If there are misunderstandings, clear them up. If there are serious problems with your tenants, correct them. Chapter 9 on Crisis Resolution gives additional information about steps to take if a neighbor calls to complain.

RESPONSIBILITIES DEFINED

To state the obvious, if you haven't already, **check your rental agreement**. Rental agreements typically spell out various responsibilities of both the landlord and the tenant. The following is an overview of the typical responsibilities of both parties.

LANDLORDS

A landlord's responsibilities fall into three areas:

- the condition of the unit as delivered to the tenant
- the obligation to maintain the unit once it is occupied
- the obligation to respect the rights of the tenant

A landlord's responsibilities generally include:

- **Prior to move-in, provide the tenant with a clean, sanitary, and safe rental unit**

This typically means the unit should be cleaned, garbage and debris from previous tenants removed, pest control problems addressed as appropriate, the various systems (plumbing, electrical, heating) working appropriately, the unit adequately weatherproofed, the structural integrity of the unit maintained (e.g., no rotting steps), fire safety issues addressed (e.g., smoke detectors installed and access to secondary exits assured), working locks installed, and any other potential safety hazards addressed.

- **After move-in, make sure the unit remains "habitable"**

For occupied units, landlords generally are responsible for all major repairs and are granted both the power and the responsibility to make sure that tenants are doing their part to maintain the habitability of the unit. For example, while the law and the rental agreement may both require that the tenant do sufficient basic housekeeping to keep the unit free of sanitation problems, if the tenant is not doing so, it is generally up to the landlord to require the tenant to correct the problem, typically serving a type of notice that would require the tenant to remove the garbage or vacate the premises.

- **Respect the tenant's right to private enjoyment of the premises**

It has been a basic characteristic of landlord/tenant relationships for hundreds of years that once the tenant begins renting property; the tenant has the right to be left alone. With some specific exceptions for such activities as serving notices, conducting maintenance inspections, doing agreed-upon repairs, or showing the unit for sale, the landlord must respect the tenant's right to private enjoyment of the unit in much the same way that an owner-occupant's right to privacy must be respected. In those areas where a landlord does have a right to access, the landlord must generally follow a carefully spelled out notification process prior to entering the rented property, *as outlined in your rental agreement*.

LANDLORD RESPONSIBILITIES DEFINED (Continued)

- **Avoid retaliation against a tenant**

Generally, a landlord may not retaliate against a tenant who is legitimately attempting to cause the landlord to meet his/her responsibilities. For example, a landlord may not increase rent, decrease service, attempt to evict, or take other retaliatory action in response to a tenant asking a landlord to repair a worn out furnace, fix a rotting step, or take other actions that fall within the landlord's responsibility under the law.

- **Avoid illegal discrimination**

Nationwide, landlords may not discriminate on the basis of a tenant's (or applicant's) race, color, religion, sex, disability, national origin, or familial status. This means that you may not use such class distinctions to screen applicants or to treat tenants differently once you enter into a rental agreement. For more information about the application of civil rights laws, see Chapter 3 on Applicant Screening.

- **Enforce the terms of the rental agreement and landlord/tenant law**

While both the rental agreement and the law will identify various required behaviors of tenants, it is up to the landlord to make sure the tenant complies. If the tenant is not in compliance, the law generally gives landlords the power to serve various types of "cure" and "no-cure" notices to correct the behavior or require the tenant to move out.

Essentially, unless the landlord takes action to correct the problem, there are few other mechanisms to correct difficulties associated with problem tenants. (Of course, if your problem tenants are involved in criminal behavior for which there is enough evidence to make an arrest, the police may be able to arrest the tenant and have that person serve jail time. However, while arrest may remove the tenant from the property, you may still need to serve an eviction notice to regain possession of the property. See Chapter 10 on The Role of the Police for more information.)

Common Sense:

- **If you respect the integrity of your own rules, the tenant will too.**
- **If you let things slide, the situation can deteriorate fast.**

It may mean more work up front, but once the tenant is used to your management style, you will be less likely to be caught by surprises.

TENANTS

A tenant's responsibilities are

- to assure that no harm is done to the unit
- to pay the rent

A tenant's responsibilities generally include:

- **Do basic housekeeping, comply with the rental agreement, and avoid harming the unit**

In addition to complying with rental agreement provisions, tenants are typically required to use the premises in a reasonable manner, **cause no damage** to the unit beyond normal wear and tear, keep the premises free of accumulations of garbage and other waste, and do sufficient housekeeping to avoid safety and sanitation hazards. Some rental agreements also spell out a **requirement that tenants be good neighbors, that tenants and their guests may not disturb the neighbors' peace**. Also, from a civil standpoint, tenants are generally considered **responsible for the behavior of others they invite onto the premises**.

For example, tenants typically cannot defend a landlord's eviction action by claiming that all alleged violations were committed by friends who visited on a regular basis.

- **Pay rent**

Landlords have the right to receive rent for the use of their property and tenants have an obligation to pay it.

- **Enforce the terms of the rental agreement and landlord/tenant law**

Just as it is up to landlords to make sure that tenants comply with the rental agreement and Federal, State and Local law, tenants generally hold the primary responsibility for making sure their landlords comply. Tenants have various powers to abate rent and/or take other action to cause a landlord to comply.

For some problems, specific governmental agencies can assist in enforcing the law, problems associated with building code violations and fair housing issues are two examples. However, the enforcing agencies often do not get involved unless they are first notified by the tenant. Therefore, **chief among the powers granted to a tenant is protection from the landlord's retaliation should the tenant attempt to assert a right defined in the law**.

PROPERTY INSPECTIONS

**Regular inspection
is a cornerstone of active management**

Unless you inspect, you can't be sure you are meeting your responsibility to provide safe and habitable housing.

In addition, **maintaining habitable property protects your rights** as well.

If a bad tenant can also claim that you are not meeting your responsibilities, you may have difficulty succeeding with an eviction. Conversely, if it is clear you make every effort to meet your responsibilities (and you document it), a tenant will be less inclined to fight an honest eviction effort.

While the purpose of a maintenance inspection is to care for the unit and ensure its habitability, **regular inspections will also deter some types of illegal activity.**

For example, if tenants know that the landlord actively manages the property, they aren't likely to start making illegal modifications to the rental in order set up marijuana grow operation.

Further, **inspections can help catch problems associated with illegal activity before they get out of hand.**

For example, it is common for drug dealers to cause damage to a rental unit that is beyond "normal wear and tear", a problem that could be observed, documented, and addressed through the process of a regular inspection program.

Illegal activity is less likely to happen at property where the landlord has a reputation for concerned, active management.

PROPERTY INSPECTIONS (Continued)

The key to successful property inspection is avoiding the adversarial position sometimes associated with landlord/tenant situations.

An inspection program done properly should be welcomed by your honest tenants.

Inspection program steps

- **Set an inspection schedule and follow it**
At minimum, every six months. It is a rare home that doesn't need at least some maintenance or repair work at least twice a year.
- **Use the inspection/notice procedures defined by Indiana State Law**
Landlords have the right to do maintenance inspections of rental property if the tenant is given proper notice, 24 hours, and if the inspection is scheduled during reasonable hours. If the inspection is routine, keep the approach friendly. Perhaps call the tenant in advance and then follow up by serving the inspection notice by the methods defined in local law. To help address all maintenance needs efficiently, ask tenants to take note of any concerns they have in advance of the inspection date. Again, when done appropriately, good tenants should appreciate your attention and concern for maintaining the unit.
- **Find and address code and habitability problems**
When you inspect the property, check for maintenance problems, and handle any routine maintenance, such as replacing furnace or air conditioning filters or putting fresh batteries in a smoke detector. Discuss with the tenants any concerns they have. Make agreements to remedy problems. Then repair what needs to be fixed.

The price of greatness is responsibility.

Sir Winston Churchill

UTILITIES

The shutting down of utilities can be a symptom of drug activity, since dealers or heavy users get more involved in their drugs, paying bills can become less important.

Remember: If your lease stipulates that the tenant is responsible for utility bills, and the tenant stops paying for those services, you have grounds for serving a for-cause eviction notice requiring that tenants get back into compliance with the lease terms or vacate the premises. *This may be particularly important to do if shutting off the utility would result in the unit no longer meeting habitability standards.*

KEEP A PAPER TRAIL

It is **difficult to prove the existence of a verbal agreement in court**, particularly if the opposing side denies that the agreement took place. The type of tenant who is involved in illegal activity and would choose to fight you in court will know that. So keep a record of your agreements and provide copies to the tenant. Just having tenants know that you keep records may be enough to motivate them to stay out of court.

You will need to retain documentation that shows your good-faith efforts to keep the property habitable and shows any changing agreements with a tenant, dated and signed by both parties.

TRADE PHONE NUMBERS WITH NEIGHBORS

Landlords of single-family residential housing sometimes don't hear of dangerous or damaging activity on their property until neighbors have written to the mayor, or the police have served a search warrant. Quite often the situation could have been prevented if the landlord and area neighbors had established a better communications link.

Find neighbors who seem responsible, concerned, and reliable

Trade phone numbers and ask them to advise you of serious concerns. You'll know you have found the right neighbors when you find people who seem relieved to meet you and happy to discover you are willing to work on problems. Conversely, if neighbors seek you out, work with them and solicit their help in the same way.

Landlords and neighbors tend to assume their relationship will be adversarial. Disarm any such assumptions and get on with cooperating. If you both want the neighborhood to remain healthy and thriving, you are on the same side and have nothing to gain by fighting each other.

Join your neighborhood association

A listing of the neighborhood associations in Lafayette and West Lafayette can be found in the Appendix, along with contact information. Your neighbors are invaluable to you in terms of keeping an eye on your property and communicating with you on activities you may not be aware of.

*When strangers start acting like
neighbors...
communities are reinvigorated.*

Ralph Nader

APARTMENT WATCH/PROMOTING COMMUNITY

Consider

COMPLAINTS WE HAVE HEARD:¹

- *We already have an ‘apartment watch.’ The tenants get together and watch the manager to see if I screw up!*
- *Tenants would not show up if we tried to start a community watch.*

ADVICE WE WERE GIVEN:

- *Please teach landlords that their good tenants can help.*



¹ Note that some “complaints” contain inaccurate or incomplete assumptions about legal rights or procedure. Comments are made by property owners unless otherwise stated.

Chapter 6: CREATING AND PROMOTING COMMUNITY

How to turn a rental property into a community

*Never doubt that a small group of thoughtful, committed citizens can change the world.
Indeed, it is the only thing that ever has.*
Margaret Mead

THE BASICS

- Good landlords and good tenants must learn to work together for the common goal of a safe community.

BENEFITS

In multi-family units, unless your tenants report suspicious behavior, you may not find out about drug activity until the problem becomes extreme. Some people, tenants and homeowners alike, are frightened to report illegal activity until they discover the “strength in numbers” of joining a community watch organization.

Whether you call your efforts “apartment watch,” “community pride,” or “resident retention programs,” the goal is the same:

Transforming an apartment complex into a community

Organizing a community is more than just encouraging tenants to act as “eyes and ears.” In the absence of a sense of community, the isolation that residents feel can lead to apathy, withdrawal, anger, even hostility, toward the community around them. Organizing efforts can lead to profound changes: as apartment residents get to know each other and the manager, a sense of community, of belonging develops, and neighbors and tenants are more willing to do what it takes to keep a neighborhood healthy.

Complexes that enjoy a sense of community often have more stable tenancies and lower crime problems than comparable complexes that are not organized.

Managers who have initiated such efforts note these benefits:

- Lower turnover, leading to considerable savings
- Less damage to property and lower repair bills
- Reduced crime
- A safer, more relaxed atmosphere for the tenants
- A positive reputation for the complex, leading to higher quality applicants and, over time, increased property values

KEY ELEMENTS OF COMMUNITY BUILDING

The key to effective cooperative community building is having the property manager take the lead and make sure the efforts are ongoing.

Community organizing that is run entirely by tenants may have less long-term stability, simply because it is the nature of rental housing that tenant turnover will occur and key organizers will move on. For this reason, **having the manager keep the program going is an important part of a successful program.** Further, if management waits until the tenants are so fed up that they organize themselves, the relationship may be soured from the start. If management takes a proactive role in helping tenants pull together for mutual benefit, the opportunity for a positive working relationship is great.

Tips on community building in rental properties

- **CLEAN HOUSE**

If you have tenants who are involved in drug activity, illegal gang activity, or other dangerous criminal behavior, resolve the issue before inviting tenants to a building-wide meeting.

Your good tenants may be frightened to attend a meeting where they know bad tenants might show up. In addition, they may question your motivation if you appear to encourage them to meet with people involved in illegal activity. So before you organize, you will need to evict problem tenants and make sure that improved applicant screening procedures are in place. Until then, rely on informal communications with good tenants to help identify and address concerns.

- **Make community activities a management priority**

Budget for the expenses and consider promotion of such activity a criterion for management evaluation. It is not an afterthought. It is not something that resident managers should “get around to” if there is time.

Unless managers make community organizing a priority, it will not get done.

Tips on community building in rental properties (Continued)

- **Hold meetings/events quarterly**

Don't expect major results from the first meeting, but do expect to see significant differences by the time the third or fourth is held. Consistency is key when building any program. Meet in the common areas if possible. While small meetings can be held in the manager's office, a vacant unit, or should a tenant volunteer, in a tenant's apartment, more people will feel comfortable participating if they can meet on "neutral" territory. Also, if you can hold events in courtyards or other outdoor locations, you may have more room to structure special events for children in the same area.

- **At each event, encourage people to meet each other**

Regardless of other specific plans for meetings, take basic steps that encourage people to meet each other. Simple steps done faithfully can make a big difference over time.

At each event:

- **Use name tags**

This simple step is important in helping to break down the walls of unfamiliarity for newcomers.

- **Begin any formal meeting by having people introduce themselves by name**

- **Allow time at each event for people to socialize**

Make sure that some of this time happens after the meeting agenda is underway. Once the event is underway, participants will have the shared experience of the meeting with which to start a conversation.

- **Offer refreshments**

Whether it is as simple as coffee and pastries or as involved as a pot luck or a summer barbecue, free food can attract many to a meeting who might not otherwise have attended.

- **Include activities for children and teenagers, as well as for adults**

Getting children involved in games and other events will provide a positive experience for the children and help encourage parents to meet each other. Also, like adults, when children and teenagers get to know their resident manager better, they are more likely to share information. This is important because teenagers, in particular, may have information about a community problem of which the adults are unaware.

Tips on community building in rental properties (Continued)

- **Hold “theme” events and special meetings as appropriate**

There is a balance between holding a purely social event and a meeting for the purpose of addressing an agenda. The balance at each meeting can vary, but it is important to provide some of both. At least one of the meetings held each year should be primarily for the purpose of celebration, a holiday party in the winter or a “know your neighbor” barbecue in the summer. Others can offer a time for socializing and a time for covering an agenda.

Meeting agendas can be as varied as the types of apartments and people who populate them.

In general meetings should:

- **Respond to issues that are a direct concern to a number of tenants**

If there are immediate concerns, such issues should take priority over other potential agenda items. If tenants are concerned about gang violence in the neighborhood, less pressing topics may seem irrelevant.

- **Provide new information about the local community**

This could take any number of forms. You might invite merchants from the area, fire fighters, police officers, members of neighborhood associations or other community groups, social workers, employment counselors, or any number of other people who could share useful information with tenants.

Remember the importance of keeping meeting agendas on track, interesting, and focused on tangible, measurable outcomes. If tenants feel that meetings rarely address the published agenda, interest will shrink quickly.

Tips on community building in rental properties (Continued)

- **Nurture a sense of shared responsibility**

While it is important for management to continue providing support for the community-building process, it should not be a one-way street. Leadership in the complex should be nurtured, and volunteers recruited at each meeting to assist with the next meeting, program, or event. The more residents experience the community-building process as a joint effort of management and residents, the more they will appreciate it. Promoting a sense of shared responsibility can be accomplished in many ways.

Tips

- Ask for volunteers to serve on a “tenants’ council”**

The council could meet informally once a month to discuss issues of concern in the complex and to plan the upcoming community-wide events. Don’t be discouraged if only one or two people get involved initially. With success, more will join.

- Whenever possible, have tenants set the meeting agendas**

Whether it is through a tenant council or simply by collecting suggestions at community events, make sure tenants know they play a key role in defining the direction of community-building efforts.

- Give tenants a chance to comment on plans for the property**

Even the simplest issues can be turned into opportunities for community building. For example, if a fence is going to be built or replaced, before going ahead with the work, discuss the plans at a meeting and allow tenants to air concerns or suggestions. You may hear some new ideas that can make the end result more attractive. In those situations where you cannot act on a suggestion, you have the opportunity to explain your reasons to your tenants, and at least have them experience a level of participation that they did not previously have. Along similar lines, by listening to tenant concerns, you may discover that a relatively simple adjustment in policy can result in a significant increase in overall tenant satisfaction.

- **Pick projects that can succeed**

Don’t promise more than you can deliver. Make sure that easily implemented changes are done promptly so that tenants can see the results. While it is important to take on the larger goals as well (such as getting rid of drug activity in the rest of the neighborhood), short-term results are needed to help tenants see that change is possible.

- **Develop a communications system**

This can be as elaborate as quarterly or monthly newsletters complete with updates from management, articles from tenants, advertisements from local merchants, and referrals to local social service agencies. Or it may be as simple as use of a centrally located bulletin board where community announcements are posted. Whatever the process, the key lies in making sure that your tenants are aware of the information source and that they find it useful enough to actually read it.

Tips on community building in rental properties (Continued)

- **Implement basic crime prevention measures**

In addition to the general community- building techniques described, various traditional crime watch techniques can also be implemented. Apartment watch training should be provided to your involved tenants prior to getting underway. Contact your community liaison officers. In Lafayette, contact Officer Chris Weaver at 807-1200 or Officer Troy Harris at 775-5200 in West Lafayette. They will be happy to sit down with you and discuss crime prevention strategies that can help facilitate the first apartment watch meeting and discuss the practices of local law enforcement.

Examples include:

- **Make sure tenants have the manager's phone number readily accessible, and that they know to call if they suspect illegal activity.**

Of course, tenants should call 9-1-1 immediately if they witness a crime in progress or any life-threatening, emergency situation. Encourage tenants to contact the manager after they have contacted 9-1-1, in the case of immediate and life-threatening situations, as well as to contact management any other time they suspect illegal activity in the complex. They should also contact police/ sheriff non-emergency services to discuss illegal activity that is not immediate in nature. The sooner your tenants advise you of a problem, the more opportunity you have to solve it before the situation gets out of hand.

Provide the WeTip Hotline 1-800-78-CRIME to all tenants and encourage them to call if they are hesitant to call law enforcement.

- **Encourage tenants to develop a list of phone numbers for each other**

By sharing phone numbers, tenants will be able to contact each other with concerns, as well as organize reporting of crime problems by multiple tenants. Note that sharing phone numbers among tenants should be done on a voluntary basis only, those who do not want to participate should not be required to do so.

- **Distribute a list of local resources**

The resource list should include numbers for police, fire, and medical emergency services 911; **WeTip 24-hour Anonymous Hotline 1-800-78-CRIME** for reporting illegal activities, as well as hotlines for local crime prevention, substance abuse problems, domestic violence problems, employment assistance, and any number of other services and organizations that may be able to assist your tenants.

Tips on community building in rental properties (Continued)

- **Purchase a property engraver for each complex**

Encourage tenants to engrave their driver's license number on items of value, such as video recorders, cameras, televisions, etc. Then post notices of the fact that tenants in the complex have marked their property for identification purposes. Burglars would rather steal property that can't be traced.

- **Apply "crime prevention through environmental design" changes**

If tenants cannot see the problem, they cannot report it. The Chapter 1 on Preparing the Property covers environmental design approaches in detail. Essentially, it is important that lighting, landscaping, and building design combine to create an environment where drug dealers, burglars, and other criminals don't want to be. Make it difficult to break in, close off escape routes, and make sure accessible areas can be easily observed by people throughout the complex.

- **Encourage nearby neighbors and apartment complexes to get involved**

Solving the whole problem may require encouraging similar steps in adjacent apartment complexes or making sure neighbors in nearby single-family homes also get involved. As a starting point, invite area neighbors to at least some of the community events held at the complex each year.

WARNING SIGNS OF DRUG ACTIVITY

Consider

COMMENTS WE HAVE HEARD:¹

- *The neighbors tell me my tenants are dealing drugs. But I drove by three different times and didn't see a thing.*
- *They pay the rent on time and don't cause any trouble for me.*
- *The landlords don't care about the neighbors, they just want to collect the rent.*
- *I would never call the police. I don't want to get involved.*
- *I have called the landlord about suspicious activity and get no response. The activity has continued and it has become a nuisance and a major safety problem for the neighborhood.*

Lafayette Neighborhood Association Leadership

ADVICE WE WERE GIVEN:

- *You've got to give up being naive. We could stop a lot more of it if more people knew what to look for.*

Narcotics detective

¹ Note that some "complaints" contain inaccurate or incomplete assumptions about legal rights or procedure. Comments are made by property owners unless otherwise stated.

Chapter 7: WARNING SIGNS OF DRUG ACTIVITY

The sooner it is recognized, the faster it can be stopped

Tell me what is right and I will fight for it.

Woodrow Wilson

THE BASICS

- Don't be naive!
- Learn the signs of illegal drug use, sales, distribution and manufacturing
- Act when you see drug activity: 911, 1-800-78-CRIME

THE DRUGS

While many illegal drugs are sold in our community today, the following are most common:

Cocaine and Crack

BASICS: Cocaine is a stimulant. Nicknames include coke, nose candy, blow, snow, and a variety of others. At one time cocaine was quite expensive and generally out of reach for people of low incomes. Today, the price has dropped to the point that it can be purchased by all economic levels. Cocaine in its powder form is usually taken nasally ("snorted"). Less frequently, it is injected.

"Crack," a derivative of cocaine, produces a more intense but shorter high. Among other nicknames, it is also known as "rock." Crack is manufactured from cocaine and baking soda. The process it requires does not produce any of the toxic waste problems associated with methamphetamine production. Because crack delivers a "high" using less cocaine, it costs less per dose, making it particularly attractive to drug users with low incomes. Crack is typically smoked in small glass pipes.

Powdered cocaine has the look and consistency of baking soda and is often sold in small, folded paper packets. Crack has the look of a small piece of old, dried soap. Crack is often sold in tiny "Ziploc" bags, little glass vials, balloons, or even "as is", with no container at all.

THE DRUGS (Continued)

Cocaine and Crack (Continued)

SIGNS OF USE: In general, signs of cocaine usage are not necessarily apparent to observers. A combination of the following is possible: regular late-night activity (e.g., after midnight on weeknights), highly talkative behavior, paranoid behavior, constant sniffing, or bloody noses (for intense users of powdered cocaine).

Powdered cocaine usage crosses all social and economic levels. Crack usage is so far associated with lower income levels.

Methamphetamine

BASICS: Methamphetamine is a stimulant. Nicknames include meth, crank, speed, crystal, STP, and others. Until the price of cocaine began dropping, meth was known as “the poor man’s cocaine.” Meth is usually ingested, snorted, or injected. A new, more dangerous form of methamphetamine, “crystal meth” or “ice” can be smoked.

“Pharmaceutical” grade meth is a dry, white crystalline powder. While some methamphetamine sold on the street is white, much of it is yellowish, or even brown, and is sometimes of the consistency of damp powdered sugar. The drug has a strong medicinal smell. It is often sold in tiny, sealable plastic bags.

SIGNS OF USE: Hard-core meth addicts get very little sleep and they look it. Chronic users and “cooks” (those who manufacture the drug) may have open sores on their skin, bad teeth, and generally appear unclean. Paranoid behavior combined with regular late-night activity are potential indicators. Occasional users may not show obvious signs.

“Cooks” tend to be lower-income and may have an unpleasant urine smell about them. While many types of individuals are involved in meth production, the activity is particularly common among some “outlaw” motorcycle gangs.

Because of the toxic waste dangers associated with methamphetamine production, we have included additional information on dealing with methamphetamine labs in a separate chapter.

Tar Heroin

BASICS: Fundamentally, heroin is a powerful pain killer, both physically and emotionally. Nicknames include brown sugar, Mexican tar, chiva, horse, smack, “H” and various others. Heroin is typically injected.

Tar heroin has the look of creosote off a telephone pole, or instant coffee melted with only a few drops of water. The drug has a strong vinegar smell. It is typically sold in small amounts, wrapped in tinfoil or plastic. Paraphernalia that might be observed include hypodermic needles with a brown liquid residue, spoons that are blackened on the bottom, and blackened cotton balls.

THE DRUGS (Continued)

Tar Heroin (Continued)

SIGNS OF USE: When heroin addicts are on the drug, they appear disconnected and sleepy. They can fade out, or even fall asleep, while having a conversation. While heroin began as a drug of the wealthy, it has become a drug for those who have little income or are unemployed. Heroin addicts don't care about very much except their next "fix", and their clothes and demeanor reflect it. When they are not high, addicts can become quite aggressive. As with most needle users, you will rarely see a heroin user wearing a short-sleeved shirt.

Marijuana

BASICS: Marijuana is also known as grass, weed, reefer, joint, "J", Mary Jane, cannabis, and many others. Marijuana is smoked from a pipe or a rolled cigarette, and typically produces a "mellow" high. However, the type and power of the high varies significantly with the strength and strain of the drug.

The marijuana grown today is far more powerful than the drug that became popular in the late '60s and early '70s. Growers have developed more sophisticated ways to control growth of the plants and cause high output of the resin that contains THC, the ingredient which gives marijuana its potency. Today's marijuana is often grown indoors to gain greater control over the crop and to prevent detection by competitors, animals, or law enforcement. It takes 90 to 180 days to bring the crops from seed to harvest.

SIGNS OF USE: Users generally appear disconnected and non-aggressive. The user's eyes may also appear bloodshot or dilated. Usage of marijuana crosses all social and economic levels.

Marijuana is generally sold in plastic bags, or rolled in cigarette paper. The smell of the smoke has been described as a "musky" cigarette smoke.

WARNING SIGNS IN RESIDENTIAL PROPERTY

The following list describes signs of drug activity that either you or neighbors may observe. As the list will show, many indicators are visible at times when the landlord is not present. This is one reason why a solid partnership with trusted neighbors is important.

Note: While some of the indicators are reasonably conclusive in and of themselves, others should be considered significant only if multiple factors are present.

This list is primarily targeted to tenant activity. For information on signs of dishonest applicants, see Chapter 3 on *Applicant Screening*.

ILLEGAL DRUG DEALING

- **Dealers sell to the end user, so they typically sell small quantities to many purchasers.**
- **Dealing locations are like convenience stores: there is high customer traffic with each customer buying a small amount.**

Neighbors may observe:

- **Heavy traffic**

Cars and pedestrians stopping at a home for only brief periods. Traffic may be cyclical, increasing on weekends or late at night, or minimal for a few weeks and then intense for a period of a few days, particularly pay days.

- **Exchanges of money**

Cash and packets traded through windows, mail slots, or under doorways.

- **Lack of familiarity**

Visitors appear to be acquaintances rather than friends.

- **People bring “valuables” into the unit**

Visitors regularly bring televisions, bikes, VCRs, cameras, and then leave empty-handed.

- **Odd car behavior**

Visitors may sit in the car for a while after leaving the residence or may leave one person in the car while the other visits. Visitors may also park around a corner or a few blocks away and approach on foot.

- **“Lookouts”**

Frequently these will be younger people who tend to hang around the rental during heavy traffic hours.

- **Regular activity at extremely late hours**

For example, frequent commotion between midnight and 4:00 in the morning on weeknights. (Both cocaine and methamphetamine are stimulants, users tend to stay up at night.)

- **Various obvious signs**

This may include people exchanging small packets for cash, people using drugs while sitting in their cars, syringes left in common areas or on neighboring property, or other paraphernalia lying about.

ILLEGAL DRUG DEALING (Continued)

Landlords may observe:

- **Failure to meet responsibilities**

Failure to pay utility bills or rent, failure to maintain the unit in appropriate condition, general damage to the property. Some dealers smoke or inject much of their profits. As they get more involved in the drugs; they are more likely to ignore bills, maintenance, and housekeeping.

ILLEGAL DRUG DISTRIBUTION

Distributors are those who sell larger quantities of drugs to individual dealers or other, smaller distributors. They are the “wholesale” component, while dealers are the “retail” component. If the distributors are not taking the drugs themselves, they can be difficult to identify. A combination of the following indicators may be significant:

- **Expensive vehicles**

Particularly when owned by people otherwise associated with a lower standard of living. Some distributors make it a practice to spend their money on items that are easily moved, so they might drive a \$50,000 car while renting a \$20,000 unit.

- **A tendency to make frequent late-night trips**

Many people work swing shifts or have other legitimate reasons to come and go at late hours. However, if you are seeing a number of other signs along with frequent late-night trips, this could be an indicator.

- **Secretive loading of vehicles**

Trucks, trailers, or cars being loaded and unloaded late at night in a hurried, clandestine manner. “Load and distribution houses” (which have been found by the FBI throughout Indiana) are essentially repackaging locations and involve moving large quantities of drugs.

*There are no easy answers but
there are simple answers. We
must have the courage to do
what we know is morally right.*

Ronald Reagan

METH LABS

Methamphetamine labs can do very serious, and expensive, harm to a property in a short period of time. Once the lab operator has collected the chemicals and set up the equipment, it doesn't take long to cook the drugs. Depending on the method used, a batch can be "cooked" in as little as four hours. Clandestine labs have been set up in all manner of living quarters, from hotel rooms and RVs, to single-family rentals or apartment units. Lab operators favor units that are secluded. In rural settings it's barns or houses well away from other residences. In urban settings it might be houses with plenty of trees and shrubs blocking the views or apartment or hotel units that are well away from the easy view of management. However, while seclusion is preferred, clandestine labs have been found in virtually all types of rental units.

Neighbors may observe:

- **Odd chemical odors**

The smell of chemicals or solvents not typically associated with residential housing.

- **Chemical containers**

Chemical drums or other containers with their labels painted over.

- **Strong ammonia smell**

Very similar to cat box odor. This is associated with the amalgam process of methamphetamine production, which has fallen out of favor with meth cooks. This method is still being reported in Tippecanoe County.

- **Smoke breaks**

If other suspicious signs are present, individuals leaving the premises just long enough to smoke a cigarette may also be an indicator. Ether, which is highly explosive, is used in meth production. Methamphetamine "cooks" need to get away from it before lighting up.

*Many other types of bad behavior
can happen more often, but if a meth
lab happens, it's a very bad thing.*

John Campbell

METH LABS (Continued)

Landlords may observe:

- **Many empty containers of over-the-counter cold or allergy medicines**
New, faster methods of cooking methamphetamine require the use of large quantities of over-the-counter cold medicines that contain the drug ephedrine. The average cold sufferer may leave one or two empty cold medicine containers in the trash. The presence of many such empty boxes, bottles, or blister packs is a warning sign.
- **A large number of matchbooks in the units**
Cooks may use hundreds, or even thousands, of matchbooks to get enough red phosphorus from their striker plates. As such, you may observe that someone has been purchasing matchbooks in surprisingly large quantities.
- **A dark red residue on countertops, coffee filters, or aluminum foil in the unit**
The red residue may be left from the use of red phosphorus in the manufacturing process. The cooks usually get the red phosphorus from the striker plates of matchbooks.
- **Strong ammonia/chemical odors**
A particularly strong cat box/ammonia smell within the house. May indicate usage of the amalgam process for methamphetamine production. The odor of ether, chloroform, or other solvents may also be present.
- **Chemistry equipment**
The presence of flasks, beakers, and rubber tubing consistent with high school chemistry classes. Very few people practice chemistry as a hobby. If you see such articles, don't take it lightly.
- **A maroon-colored residue on aluminum sashes or other aluminum in the unit**
The ephedrine process of methamphetamine production is a more expensive process, but it does not give off the telltale ammonia/cat box odor. However the hydroiodic acid involved does eat metals and, in particular, leaves a maroon residue on aluminum.
- **Bottles or jugs used extensively for secondary purposes**
For example, milk jugs and screw-top beer bottles full of mysterious liquids.
- **Discarded chemistry equipment**
Garbage containing broken flasks, beakers, tubing, or other chemical paraphernalia.

Special note on meth lab exposure:

If you have reason to believe there is a meth lab on your property:

- Leave immediately
- Wash your face and hands
- **CALL your local police (Lafayette, West Lafayette, Purdue, Dayton, Brookston) or the Tippecanoe County Sheriff's Department and report what you know**
- **CALL the Tippecanoe County Drug Task Force and report what you know: 765-807-1670**
- *If you have reason to believe your exposure has been extensive, contact your doctor immediately, some of the chemicals involved are highly toxic.*

Know that our law enforcement agencies count on you to be their eyes and ears in your neighborhood. Be assured that there will be an investigation and action will be taken only when there has been a confirmation of illegal activity occurring.

ANONYMOUS REPORTING:

- WeTip: 1-800-78-CRIME
- TIPPECANOE COUNTY DRUG TASK FORCE:
765-807-1670
- PURDUE POLICE DEPARTMENT:
765-496-DRUG

For more information about meth labs, see Chapter 8 on *Clandestine Drug Labs*.

Children who inhabit homes where laboratories are present often inhale dangerous chemical fumes or gases or ingest toxic chemicals or illicit drugs. Exposure to these substances can cause serious short - and long-term health problems including damage to the brain, liver, kidneys, lungs, eyes and skin.

**National Institute of Health,
Substance Abuse and Mental Health Services Administration**

MARIJUANA GROW OPERATIONS

Grow operations are hard to identify from the street. They are more likely to be found in single-family residential units than in apartments. In addition to the general signs of excessive fortifications or overly paranoid behavior, other signs are listed below.

- **Electrical wiring that has been tampered with**

For example, evidence of residents tampering with wiring and hooking directly into power lines.

- **Powerful lights on all night in the attic or basement**

Growers will be using powerful lights to speed the development of the plants.

Neighbors may observe:

- **A sudden jump in utility bills**

Grow operations require strong lighting.

- **A surprisingly high humidity level in the unit**

Grow operations require a lot of moisture. In addition to feeling the humidity, landlords may observe peeling paint or mildewed wallboard or carpet.

- **Rewiring efforts or bypassed circuitry**

Grow operations require a lot of electricity; some use 1,000-watt bulbs that require 220-volt circuits.

The extra circuitry generally exceeds the power rating for the rental and can burn out the wiring resulting in fires in some cases, or often the need to rewire before you can rent the property again.

- **Powerful lights on all night in the attic or basement**

Growers will be using powerful lights to speed the development of the plants.

The following may apply to dealing, distribution, or manufacturing.

Neighbors may observe:

- **Expensive vehicles**

Regular visits by people in extremely expensive cars to renters who appear to be significantly impoverished.

- A dramatic drop in activity after police are called

If activity stops after police have been called, but before they arrive, this may indicate usage of a radio scanner, monitoring police bands.

- **Unusually strong fortification of the unit**

Blacked-out windows, window bars, extra deadbolts, surprising amounts spent on alarm systems. Note that grow operators and meth “cooks” in particular, often emphasize fortifications, extra locks and thorough window coverings are typical.

- **Frequent late-night motorcycle or bicycle trips**

This would only be a significant sign if the trips are made from a location where other indicators of drug activity are also observed.

- **Firearms**

Particularly assault weapons and those that have been modified for concealment, such as sawed-off shotguns.

[illegible]

The following may apply to dealing, distribution, or manufacturing. (Continued)

Landlords may observe:

- **A willingness to pay rent months in advance, particularly in cash**

If an applicant offers you six months' rent in advance, resist the urge to accept, and require the person to go through the application process. By accepting the cash without checking, you might have more money in the short run, but your rental may suffer damage, and you may also damage the livability of the neighborhood and the value of your long-term investment.

- **A tendency to pay in cash combined with a lack of visible means of support**

Some honest people simply don't like writing checks, so cash payments by themselves certainly don't indicate illegal activity. However, if other signs are also noted, and there are large amounts of cash with no apparent source of income, get suspicious.

- **Unusual fortification of individual rooms**

For example, deadbolts or alarms on interior doors.

- **Willingness to install expensive exterior fortifications**

If your tenants offer to pay surprisingly high dollar amounts to install window bars and other exterior fortifications, they may be interested in more than prevention of the average burglary.

- **Presence of any obvious evidence**

Bags of white powder, syringes, marijuana plants, etc. Also note that very small plastic bags (the type that jewelry or beads are sometimes kept in) are not generally used in quantities by most people. The presence of such bags, combined with other factors, should cause suspicion.

The following may apply to dealing, distribution, or manufacturing.

Landlords may observe:

- **Unusually sophisticated weigh scales**

The average home might have a food scale or a letter scale, perhaps accurate to an ounce. The scales typically used by drug dealers, distributors, and manufacturers are noticeably more sophisticated, accurate to gram weights and smaller. (Of course, there are legitimate reasons to have such scales as well, so don't consider a scale *by itself*, as an indicator.)

- **Large amounts of tinfoil, baking soda, or electrical cords**

Tinfoil is used in grow operations and meth production. Baking soda is used in meth production and in the process of converting cocaine to crack. Electrical cords are used in meth labs and grow operations.

TIPPECANOE COUNTY PROSECUTOR



PROJECT SAFE NEIGHBORHOODS

Fighting crime, One neighborhood at a time
1-800-78-CRIME

ILLEGAL ACTIVITY IS NOT TOLERATED

DRUG SALES AND USE, GANG ACTIVITY, THEFT, GRAFFITI, CHILD ABUSE, THREATS AND INTIMIDATION, WEAPONS, ARSON, VANDALISM

YOU COULD RECEIVE UP TO
\$1,000 REWARD
TURN THEM IN ■ 100% ANONYMOUS



1-800-78-CRIME
1-800-782-7463

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PROJECT SAFE NEIGHBORHOODS

Anti-crime posters, brochures and other resources can be accessed on the PSN website at
<http://www.tippecanoe.in.gov/PSN/>

Or

By contacting Kathryn Redd at
kredd@tippecanoe.in.gov

Chapter 8: IF YOU DISCOVER A CLANDESTINE LAB

You are in a dangerous situation

*Methamphetamine is the second greatest drug threat to the Great Lakes Region.
National Methamphetamine Threat Assessment 2008,
National Drug Intelligence Center, United States Department of Justice*

THE BASICS

- Know the dangers of methamphetamine labs
- If you discover a clandestine lab, leave the premises immediately, call 9-1-1, seek medical attention

Because methamphetamine labs represent a potential health hazard far greater than other types of drug activity, we have included this section to advise you on how to deal with the problem. This information is intended to help you through the initial period, immediately after discovering a meth lab on your property. For information about warning signs of methamphetamine labs and other drug activity, see Chapter 7 on the *Warning Signs of Drug Activity*.

THE DANGER: TOXIC CHEMICALS IN UNPREDICTABLE SITUATIONS

There is very little that is consistent, standard, or predictable about the safety level of a methamphetamine lab. The only thing we can say for sure is that you will be better off if you leave the premises immediately.

Consider:

- **Cleanliness is usually a low priority**

“Cooks” rarely pay attention to keeping the site clean or keeping dangerous chemicals away from household items. The chemicals are rarely stored in original containers and often you will see plastic milk jugs, or screw-top beer bottles, containing unknown liquids. It is all too common to find bottles of lethal chemicals sitting open on the same table with the cook’s bowl of breakfast cereal, or even next to a baby’s bottle or play toys.

- **Toxic dumpsites are common**

As the glass cooking vessels become brittle with usage, they must be discarded. It is common to find small dumpsites of contaminated broken glass, needles, and other paraphernalia on the grounds surrounding a meth lab, or even in a spare room.

THE DANGER: TOXIC CHEMICALS IN UNPREDICTABLE SITUATIONS (Continued)

- **The chemicals present vary from lab to lab**

While some chemicals can be found in any meth lab, others will vary. “Recipes” for cooking meth get handed around and each one has variations. So we cannot say with any certainty which combination of chemicals you will find in a lab you run across.

- **“Booby traps” are a possibility**

Other meth users and dealers may have an interest in stealing the product from a cook. Also, as drug usage increases, so does paranoia. Some cooks set booby traps to protect their product. A trap could be as innocent as a trip wire that sounds an alarm, or as lethal as a wire that pulls the trigger of a shotgun or causes the release of deadly chemical gases.

- **The risk of explosion and fire is high**

Ether, commonly used in some drug labs, is highly explosive. Its vapor can be ignited by the spark of a light switch. Under some conditions, a bottle could explode just by jarring it. Meth lab fires are generally the result of an ether explosion; the result can be instant destruction of the room, with the remainder of the structure in flames.

- **Health effects are unpredictable**

Before the law enforcement community learned of the dangers of meth labs, they walked into them without protective clothing and breathing apparatus. The results varied. In some cases officers experienced no ill effects, while in others they developed “mild” symptoms such as intense headaches. However, in other cases, officers experienced burned lung tissue from breathing toxic vapors, burns on the skin from coming into contact with various chemicals, and other more severe reactions.

- **Many toxic chemicals are involved**

The list of chemicals that have been found in methamphetamine labs is a long one. Some are standard household items, like baking soda. Others are extremely toxic or volatile like hydroiodic acid (it eats through metals), benzene (carcinogenic), ether (highly explosive), or even hydrogen cyanide (also used in gas chambers). For still others, like phenylacetic acid and phenyl-2-propanone, while some adverse health effects have been observed, little is known about the long-term consequences of exposure.

WHAT TO DO IF YOU FIND A LAB

- **Leave**

Because you will not know which chemicals are present, whether or not the place is booby-trapped, or how clean the operation is, don't stay around to figure it out.

- **Do not open any containers.**
- **Do not turn on, turn off, or unplug anything.**
- **Do not touch anything**
- **Do not put your hand where you cannot see what it is touching**

Among other hazards, by groping inside a drawer or a box, you could be stabbed by the sharp end of a hypodermic needle.

Also, if you are not sure you have discovered a clandestine lab, but think you may have, **don't stay to investigate. Make a mental note of what has made you suspicious and get out.**

- **Check your health and wash up**

As soon as possible after leaving the premises,

- **wash your face and hands**
- **check your physical symptoms**

If you have concerns about symptoms you are experiencing, call your doctor, contact an emergency room, or call a poison control center for advice.

Even if you feel no adverse effects, as soon as is reasonably possible, change your clothes and take a shower. Whether or not you can smell them, the chemical dusts and vapors of an active meth lab can cling to your clothing the same way that cigarette smoke does. In most cases, normal laundry cleaning, not dry cleaning, will decontaminate your clothes.

- **Call 911**

- **Alert the Tippecanoe County Drug Task Force and your local police (Lafayette, West Lafayette, Purdue, Dayton, Brookston) or the Tippecanoe County Sheriff's Department to report what you know.**

Call WeTip 1-800-78-CRIME anonymous tip line if you are not comfortable reporting what you have observed to an officer. Because of the dangers associated with clandestine lab activity, such reports often receive priority and are investigated quickly. Typically, the law enforcement will respond with a multi-jurisdictional team and coordinate with the county's hazardous materials team.

WHAT TO DO IF YOU FIND A LAB (Continued)

- **Arrange for cleanup**
 - **Before you can rent the property again, you will need to decontaminate it.**

Cleanup procedures are evolving and regulations on cleanup are listed under Title 318: Department of Environmental Management and Indiana Codes 5-2-6-19, 5-2-15-3 outline the Methamphetamine Registry of the property.

Start by getting any appropriate information from the law enforcement and hazardous materials officials who dealt with your unit.

Contact the Tippecanoe County Health Department and the State of Indiana Health Department, who will need to be involved and will have information on methods for decontamination.

NOTE: The regulations are complex and comprehensive. It is important to consult with an attorney who is experienced in the law that governs the procedure.

WHERE TO FIND INFORMATION ON LAB CLEAN UP

- **General**
Cleanup of Illegal Drug Laboratories, Indiana Department of Environmental Management: http://www.in.gov/idem/programs/land/drug_lab/#response
- **Clean Up**
Title 318: Indiana Department of Environmental Management, Article 1: Inspection and Cleanup of Property Contaminated with Chemicals Used in the Illegal Manufacture of a Controlled Substance: http://www.in.gov/legislative/iac/iac_title?iact=318.
- **Property Registration**
Indiana Criminal Justice Institute Methamphetamine Web Registry: Indiana Codes 5-2-6-19, 5-2-15-3: <http://www.in.gov/legislative/ic/code/const/>

- **Address any remaining issues with your tenants**

However, when a meth lab is discovered, your tenants will typically have either already left or will no longer have any interest in possessing the unit, so while there may be other issues to resolve, physical removal of tenants is usually not one of them.

Depending on the level of contamination present, cleanup may be as simple as a thorough cleaning of all surfaces and removal of absorbent materials (e.g., stuffed furniture and rugs), or as complex as replacing flooring or drywall. On very rare occasions demolition of the entire structure may be required.

WHAT TO DO IF YOU FIND A LAB (Continued)

- **Address any remaining issues with your tenants (Continued)**

Due to the range of chemicals involved, and the differing levels of contamination possible, it is impossible to predict the length of time involved to get a contaminated property back into use.

COST OF METH CLEAN UP

- **The cost of cleaning up a contaminated property can range from \$2,000 to \$100,000+, not including lost rent.**
- **The key is to avoid having to deal with a methamphetamine clean up at your property.**
- **The best way to avoid this is to effectively screen tenants and activity manage your property.**

Common question: **"If lab sites are so toxic, how can meth lab "cooks" live there?"**

The short answer is: because they are willing to accept the risks of the toxic effects of the chemicals around them. Meth cooks are often addicted to the drug and are often under its influence during the cooking process. This makes them less aware and more tolerant of the environment, as well as more careless with the chemicals they use and more dangerous to those around them.

Meth cooks are frequently recognized by such signs as rotting teeth, open sores on the skin, and a variety of other health problems. Some of the chemicals may cause cancer; what often isn't known is how much exposure it takes, and how long after exposure the cancer may begin. Essentially, meth cooks have volunteered for an uncontrolled experiment on the long-term health effects of the chemicals involved.

Also, there are occasions when meth cooks are forced to leave as well. For example, reports of explosions and fires are among the more common ways for local police and fire officials to discover the presence of a lab, while fighting the fire, they discover the evidence of drug lab activity.

Finally, you face a different set of risks in a meth lab than do the cooks. The cooks know which compounds they are storing in the unmarked containers. They know where the more dangerous chemicals are located and how volatile their makeshift setup is likely to be. When you enter the premises, you have none of this information, and without it you face a much greater risk.

CRISIS RESOLUTION

Consider

COMMENTS WE HAVE HEARD:¹

- *Even though the landlord knows there is a problem, they do nothing.*
Tenant
- *I did not want to tell the landlord because they may be involved.*
Tenant
- *Since the landlord has done nothing about the drug dealers, I am going to move out without telling them because I am afraid.*
Tenant

ADVICE WE HAVE BEEN GIVEN:

- *Landlords have to clean house before good tenants will respect their word.*
- *We are willing to keep an eye on their property and help them in any way we can.*
Lafayette Neighborhood Association Leadership
- *Active, hands on management is the key to keeping illegal activity out of rental property.*
Tippecanoe County Prosecutor's Office
- *In many cases, after a crime has been committed, we find that if the criminal lives in a rental, they have a long history of evictions.*
Tippecanoe County Prosecutor's Office
- *Non-action on a known problem is condoning the behavior and makes the landlords part of the problem.*
Tippecanoe County Prosecutor's Office

¹ Note that some "complaints" contain inaccurate or incomplete assumptions about legal rights or procedure. Comments are made by property owners unless otherwise stated.

Chapter 9: CRISIS RESOLUTION

Stop the problem before it gets worse

When you confront a problem, you begin to solve it.

Rudy Giuliani

THE BASICS

- Address problems, quickly and fairly, as soon as they come up
- Know how to respond if a neighbor calls with a complaint
- If eviction is required, do it efficiently
- If you don't know, ask a skilled attorney

DON'T WAIT, ACT IMMEDIATELY

- **Effective property management includes early recognition of noncompliance and immediate response.**
- **Don't wait** for rumors of drug activity and don't wait for official action against you or the property (e.g., warning letters, fines, closure, or forfeiture).
- **Prevention** is the most effective way to deal with rental-based drug activity.
- Many drug operators have histories of noncompliant behavior that the landlord ignored. **If you give the consistent message that you are committed to keeping the property up to code and appropriately used, dishonest tenants will learn that they can't take advantage of you or your property.**

The following are three of the more common reasons why landlords put off taking action, as well as some reasons why you may want to act anyway

- **Fear of the legal process**

Many landlords don't take swift action because they are intimidated by the legal process. However, the penalty for indecision can be high. If you do not act, and then accept rent while knowing that a tenant is in noncompliance, you may compromise your ability to take any future action about the problem. Your position is strongest if you consistently apply the law whenever tenants are not in compliance with the rental agreement or your landlord/tenant laws. Your position is weakened whenever you look the other way.

- **Fear of damage to the rental**

Some landlords don't act for fear the tenant will damage the rental. Unfortunately, such inaction generally makes the situation worse. Problem tenants may see your inaction as a sign of acceptance. You will lose what control you have over the renter's non-compliant behavior; you will lose options to evict while allowing a renter to abuse your rights; and you will likely get a damaged rental anyway. If they are the type who would damage a rental, sooner or later they will.

- **Misplaced belief in one's tenants**

While developing this manual, we heard this story, and similar ones, with considerable frequency: *"The people renting the property aren't dealing the drugs. We haven't had any problems with them. The drug dealers are their friends who often stay at the property. So what do we do? The tenants aren't making trouble, it's these other people."*

Ask yourself: Did your "innocent" tenants contact you or the police when the drug activity first occurred? Or did they acknowledge the truth only after you received phone calls from upset neighbors or a warning from the police? (Also: Is your "innocent" tenant breaking your rental agreement by having long-term guests or sub-tenants?)

To be sure, tenants can be victimized by friends or relations. For those tenants who seek you out and ask for assistance, help as best you can. But be careful of stories you hear from tenants who don't admit to problems until after you have received complaints from neighbors or police. The sooner tenants who "front" for others realize they will be held responsible, the sooner they may choose to stop assisting in the crime.

- **Fear of vacancy loss**

Some landlords think it is better to keep a tenant, even if they are damaging the unit. This way they still can collect some rent and it defers making the repairs until the tenant chooses to leave. This is not a good idea for the property, neighborhood or community in the long run.

IF YOU DON'T KNOW, DON'T GUESS

If you are not familiar with the process for eviction, contact a skilled landlord/tenant attorney before you begin.

By paying for a small amount of legal advice up front, many landlords have saved themselves from having to pay for a lot of legal help further down the road. The law may look simple to apply, but as any landlord or tenant, who has lost in eviction court can attest, it is more complicated than it seems.

We must reject the idea that every time a law's broken, society is guilty rather than the lawbreaker.

It is time to restore the American precept that each individual is accountable for his actions.

Ronald Reagan

IF A NEIGHBOR CALLS WITH A COMPLAINT

If a neighbor calls to report drug activity, or any other type of dangerous or illegal activity at your rental, take these steps:

With the initial call, stay objective, ask for details and write down as many details as possible

- **Don't be defensive** and, equally, **don't jump to conclusions.**
- **Your goal is to get as much information as you can from the neighbor about what has been observed.**
- You also want to avoid setting up an adversarial relationship. If it is illegal drug activity; you need to know about it.
- **Make a commitment that you will not reveal the caller's name** to the tenant without permission (unless subpoenaed to do so).
- In the past, some landlords, perhaps believing that neighbor reports were exaggerated, have treated dangerous situations too casually and told criminals the names of neighbors who called to complain. If the neighbors have exaggerated, you do no harm by protecting their names.
- If they haven't, you could put them in real danger by revealing too much.

IF A NEIGHBOR CALLS WITH A COMPLAINT (Continued)

If a neighbor calls to report drug activity, or any other type of dangerous or illegal activity at your rental, take these steps:

With the initial call, stay objective and ask for details. (continued)

Ask the caller for:

- **A detailed description** of what has been observed.
 - Description of person (s), vehicle (s) (color, make, model, license plate), description of activity, its frequency, time/day of occurrence.
- **A letter documenting what has been observed sent to you and to your local law enforcement agency's narcotics division.** If you have Section 8 tenants, forward a copy to the Lafayette Housing Authority. If they are unwilling to document the problem, do not want to give their names or any details to the police, suggest the WeTip anonymous hotline 1-800-78-CRIME
- **Name, address, and phone number**, if willing to give it. If neighbors don't know you, they may be unwilling to give you their names on the first call. This is one reason why we recommend you meet neighbors and trade phone numbers before a crisis occurs.
 - Consider: If the only thing neighbors know about you is that you have rented to a drug dealer, they will have reason to be cautious when they call.
- **Names of other citizens you can call who could verify the complaint**, or ask that they encourage other neighbors to contact you. You will need more evidence than the phone call of a single neighbor to take meaningful action. Explaining this need may help further encourage the neighbor to ask others to call. Also, having multiple complaints can help protect the caller by taking the focus off of a single complainant as the "cause" of the drug dealer being discovered.

A single call from one neighbor doesn't necessarily mean your tenants are doing anything illegal. However, a single call is justification to pursue the matter further.

SPECIAL NOTE FOR OFF-SITE MANAGEMENT

Make it a priority to get to know your neighbors to keep an eye on your property and report suspicious activity. Ask them to keep a **Drug Activity Log**.¹

A detailed record of all suspected drug activity that they observe, including the date, time, location, and a careful description of each incident. People, vehicles, drugs, hiding places, "advertising", paraphernalia, overheard conversations, and how the drugs and money were exchanged are things you could ask them to log.

¹ Citizen Action for Neighborhood Safety Community Strategies for Improving the Quality of Life, Institute for Law and Justice, Inc., and the Center for the Community Interest, <http://www.ojp.usdoj.gov/ccdo/pub/pdf/qolmas.pdf>.

IF A NEIGHBOR CALLS WITH A COMPLAINT (Continued)

Find out more

- **Go to other sources for additional information and assistance**
 - Your goal is to collect enough information to verify any problems at the rental, and then to take appropriate action.
- **Get in touch with other neighbors**
 - Even if your tenant is running a high-volume dealing operation, it is likely that some neighbors will suspect nothing. Many citizens are unobservant or give their neighbors a wide benefit of the doubt. However, while some neighbors may be unaware of the scope of the problem, it is also likely that others will have a lot to tell you.
- **Contact the police**
 - Get in touch with your community liaison officers, and contact the narcotics division or Street Crime Unit in Lafayette. Determine what, if anything, they have on record that can be revealed (see separate chapter on The Role of the Police for details).
- **Call your agencies crime prevention specialist**

- Start by calling **Lieutenant Chris Weaver, in Lafayette, at 807-1200** or **Sergeant Troy Harris, in West Lafayette, at 775-5200** ask for information about neighborhood crime prevention assistance.

- Reports from neighbors may have been called into local law enforcement and they may also have additional information that can help you address the situation effectively.
- **If you feel comfortable doing it, consider a property maintenance inspection.**
 - Few tenants involved in serious illegal activity are model renters. Discovery of maintenance violations may provide sufficient basis for serving eviction notices without having to pursue the more difficult route of developing a civil level of proof that dangerous criminal behavior has occurred. **Law enforcement will provide security for you and help you with this process.**

IF A NEIGHBOR CALLS WITH A COMPLAINT (Continued)

Once you've identified the problem, address it.

If you discover that your tenant is innocent, contact the neighbor who called and do your best to clear up the matter. If you discover no drug activity but strong examples of disturbing the neighbors' peace or other violations, don't let the problem continue, serve the appropriate notices. Likewise, if you become confident your property is being used for drug activity or other dangerous behavior, take action. Advise the appropriate DETECTIVE division of your findings and your plan.

The following are **examples** of options you might pursue:

If the evidence allows it, serve an eviction notice for alleged drug activity (IC 35-48 -4). For drug dealing and manufacturing many jurisdictions allow a very fast notice, such as an "immediate," "24-hour," or "3-day no cure" eviction. (Such notices do not actually force eviction on such short notice, rather, they "terminate" the rental agreement on short notice, which allows the landlord to start the process for seeking a court-ordered eviction that much more quickly.)

- Keep in mind that, **if your tenant wishes to fight in court, you will need to establish a civil, (not criminal), level of proof that drug activity has occurred.**
 - **This is a lower level of proof than local law enforcement** would need to get a conviction. Nevertheless, allegations of drug activity or other dangerous activity should be made with care. **Given the seriousness of the charge, always contact an attorney before proceeding with this option.**
 - **If the tenants are involved in illegal activity, they move out quickly** rather than fight the eviction since it won't help their drug operation to appear in court.
 - **One exception is Section 8 tenants who, for reasons unrelated to the drug activity, may be more inclined to resist eviction** (as described in the chapter on Section 8 Housing Choice Vouchers).
 - **Note also that your failure to act if you have grounds for serving such a notice may also put you at risk.** If your tenants act on a threat, or continue to carry out extreme behaviors that endanger the community, you could face legal action by harmed neighbors or by the local government for not taking action once you had knowledge of the problem.

Once you've identified the problem, address it. (Continued)

If you have the option, consider a “no-cause” or “nonrenewable” notice

- In some rental situations, such as month-to-month rentals or at the expiration of a lease term, you may be able to evict without giving a cause.

Consider serving notice for other apparent causes

- “Cause” in this case **could be disturbance of the neighbors’ peace, nonpayment of rent, or any other significant issue of noncompliance with the rental agreement, Indiana State landlord/tenant law or nuisance laws that you have discovered since cashing the last rent check.** Again, if you have drug activity, an inspection will likely reveal a failure to maintain the property as provided in the rental agreement, additional people living in the unit, and/or other noncompliant behavior. Notices served for many types of noncompliant behavior are “curable”; that is, if the tenant can fix the problem in a legally defined period of time, the tenant will be allowed to stay in the unit.

Consider mutual agreement to dissolve the lease

- A frequently overlooked method. **Essentially, if both you and your tenant can agree that the tenant will move by a specific date,** you may not need to pursue the court-ordered eviction process at all. In some instances this can be beneficial to both parties.
 - **Write the tenant a letter discussing the problem and offering whatever supporting evidence seems appropriate.** Recommend dissolving the terms of the lease, thus allowing the tenant to search for other housing without going through the confrontation of a court-ordered eviction.
 - **Let Section 8 renters know that a mutual agreement to dissolve the lease does not threaten program eligibility, unless illegal activity is involved**
 - **Make sure the letter is evenhanded, present evidence, not accusations.** Make no claims that you cannot support. *Have the letter reviewed by an attorney familiar with landlord/tenant law.* **Done properly, this can be a useful way to dissolve a problem to both your tenant’s and your own satisfaction without dealing with the court process.** Done improperly this will cause more problems than it will solve. Don’t try this option without doing your homework first. If illegal activity is occurring, most tenants will take the opportunity to move on.

FOR SPECIFIC STATE AND LOCAL LAW

- **Indiana Constitution:**
<http://www.in.gov/legislative/ic/code/const/>
- **Lafayette Municipal Code:**
<http://ordlink.com/codes/lafayette/index.htm>
- **West Lafayette City Code:**
<http://ordlink.com/codes/westlaf/index.htm>

Once you've identified the problem, address it. (Continued)

Finally, if you evict someone for drug activity, share the information.

- Landlords who are screening tenants down the road may not find out about it unless the information is documented.
- **If it is a Section 8 renter, make sure the Lafayette Housing Authority has a letter from you on file.**
- **Contact the screening company or credit reporting service you use and advise them of the circumstances.** They may also be able to keep track of the information.

HOW TO SERVE NOTICE

When an eviction notice is served, quite often the tenant moves out and the procedure is complete. However, in those cases where a tenant requests a trial, the details of the eviction process will be analyzed.

As one landlord puts it

- *"90% of the cases lost are not lost on the bottom - line issues, but on technicalities."*

Others point out:

- *"Even if you have police testimony that the tenants are dealing drugs, you still have to serve the notice correctly."*

Eviction options include a legal process that you must follow. In addition, the process may also be affected by the provisions of your rental agreement or Section 8 contract.

Begin by reading your rental contracts and landlord/tenant law

- One of the best tools you can develop is a comfortable, working knowledge of the law.

IN ANY EVICTION, TAKE THE FOLLOWING STEPS

- **Start with the right form**

When available, use forms already developed for each eviction option. Forms that have been written and reviewed for consistency with state law can generally be purchased through property management associations or legal documents publishing companies. In some states, the form may be written right in the statute. You can, of course, have your attorney generate the appropriate notices as well.

- **Fill it in correctly**

If it is a for-cause notice, you must cite the specific breach of landlord/tenant law or section of the rental agreement that the tenant has violated. In addition, briefly describe the tenant's noncompliant behavior. You will need to have the correct timing of the notice recorded. There will be other elements to include. For example, if it is a Section 8 rental, you will need to note that a copy of the notice is being delivered to the Lafayette Housing Authority.

- **Time it accurately**

Issues of timing vary significantly by state. Cases can be lost because a landlord did not extend the notice period to allow for delivery time, did not allow sufficient time for a tenant to remedy a problem, or did not accurately note the timing of the process on the notice itself.

- **Serve it properly**

Again, check the law and your contracts to make sure the process is correct. Generally, placing the notice directly into the hands of a tenant whose name is on the rental agreement is allowable in any jurisdiction. Other types of legal delivery vary. In some areas all mailed notices must be by certified mail. In other areas only standard first class mail may be used and a certified mail notice would be considered illegal. So don't guess. Read the law, check with your attorney, and proceed from there.

- **Don't guess, get help**

As mentioned earlier, unless you are comfortable with the process, consult with an attorney who is well experienced in landlord/tenant law before you serve an eviction notice. If you have drug activity on your property, you already have a major problem. Now is not the time to cut corners in order to save money. Using the correct legal process could save you thousands of dollars in damages, penalties, and legal fees down the road.

LEVELS OF EVIDENCE

An eviction trial is a civil proceeding. This means that **civil levels of proof are typically all that are required to succeed.**

In eviction court landlords have established a strong proof of drug activity in a rental by providing the following:

- **Credible testimony of neighbors who have observed related behavior** (such as that described in the chapter on Warning Signs of Drug Activity).
- **Landlords own testimony about additional signs that may have been observed** during an inspection of a unit.
- **The subpoenaed testimony of a police officer who has made an undercover buy from a tenant or arrested a tenant for possession of drugs.**

For Example

From a criminal standpoint, this level of proof would generally not be enough for the police to get a search warrant. But **it can well be enough to prove suspicion of chronic drug activity for a civil court.** Of course, the actual level of proof required is determined by a combination of local law, court precedents, the presiding judge, and the “trier of fact” (either a judge or jury) who hears the case. (For more on the issues of criminal versus civil law, see the next Chapter 10 on *The Role of the Police.*)

THE COURT PROCESS

The popular belief is that a “termination” notice is sufficient to force a tenant to move out by the date specified on the notice.

The notice is just the first step. Technically, the landlord’s first notice to vacate means that, should the tenant not move out by the date specified, then the landlord may file suit to regain possession of the property. While many tenants will move out before the initial notice expires, if the tenants do not, the landlord will need to start a legal action with the local courts to regain possession of the property.

In cases where a tenant wishes to resist eviction, the tenant will be allowed to remain on the premises, until a landlord has received a court judgment against the tenant. Then, if forced physical removal of the tenant is required, it will be done by a local law enforcement official, most commonly a sheriff or marshal. The actual procedure varies significantly by jurisdiction, as does the length of time required.

Perhaps the most compelling point we can make about the entire eviction process, from service of notice to arguing in court, is this



Eviction is an expensive, time-consuming way to “screen” tenants

- **You will save much heartache and considerable expense if you screen your tenants carefully before you rent to them, instead of discovering their drawbacks after you are already committed.**

IF YOU HAVE A PROBLEM WITH NEIGHBORING PROPERTY

When chronic problem activity is present in a neighborhood, every affected citizen makes a conscious or unconscious choice about what kind of action to take. The choices are to move away, to do nothing and hope the problem will go away, or to take action to stop the problem.

Doing nothing or moving away usually means the problem will remain, grow larger and somebody, someday will have to cope with it.

Taking action, especially when it involves many neighbors working together can both solve the problem and create a needed sense of community.

Many neighbors are under the impression that solutions to crime are the exclusive responsibility of the police and the justice system, that there isn't much an individual citizen can do.

Actually, there is a lot that citizens can do, even must do, in order to ensure they live in a safe and healthy neighborhood.

Getting more involved in your neighborhood isn't just a good idea, it is how our system of law and civic life was designed, and the only way it can really work.

COMMUNITY ORGANIZING TECHNIQUES

The following is a list of proven community organizing techniques to help you begin.

- **Find others concerned about the problem and enlist their help**

As you consider the steps described below, keep in mind that multiple neighbors following the same course of action will magnify the credibility and effectiveness of each step. In particular, several neighbors calling a government agency separately about the same problem will usually raise the seriousness of the problem in the eyes of the agency. Involvement of multiple neighbors also increases safety for everyone. People involved in illegal activity might target for revenge one neighbor they perceive as causing them problems, but are less likely to try to identify and harass multiple people.

- **Make sure police are informed in detail**

It doesn't matter how many police we have if people don't call and tell them where the crime is. Even if you have had the experience of calling without getting the results you expect, keep calling. As you also follow other recommendations of this section, keep working with police throughout the process.

Of course, **establishing a connection with a particular officer who works the area regularly is often a key to success.**

Other strategies include:

- **Report incidents when they occur**
 - Call 9-1-1 if it is an emergency or call Lafayette or West Lafayette narcotics detectives, or the Tippecanoe County Sheriff's Department. Call 1-800-78-CRIME to report suspected illegal activity anonymously.
- **Keep activity logs or diaries about the address when disturbances are frequent, and encourage neighbors to do the same**
 - Share copies of these logs with an officer, in person if possible.
- **Encourage civil abatement action**

Even if you are on the right track, you will get run over if you just sit there.

Will Rogers

COMMUNITY ORGANIZING TECHNIQUES (Continued)

- **Consider direct contact with the property owner**

Many activists contact the owner directly and ask for help in solving the problem. While police officers may do this for you, it is also an option available to any citizen directly. Understand that there may be a risk to your personal safety in contacting some irresponsible owners, so be sure to plan your approach carefully. In general, try a friendly, cooperative approach first. It usually works. If it doesn't, then move on to more adversarial tactics.

Here are some tips for the friendly approach:

- **Use tax records to find the owner**

Local property tax assessment records generally will identify who owns the property.

- **Contact the owner**

It is amazing how often this simple step is never taken. Discuss the problem and ask for assistance with stopping it.

- **Suggest this training**

If the property is a rental, consider delivering a copy of this manual and encourage the owner to attend the Tippecanoe County Rental Property Owner and Manager Training Program.

- **Describe events**

Provide the owner with specific descriptions of events. Answer the questions who, what, where, when and how about each event.

- **Give police references**

Give the property owner the names of officers who have been called to the address. **Names of specific officers are far more useful than general statements like "The police have been out frequently."**

- **Help locate criminal records if appropriate**

You can access criminal background information in Tippecanoe County at <http://www.tippecanoe.in.gov/court/pa.urd/pamw6500-display>. Print out the record to give to the landlord.

- **Share activity logs**

Give copies of activity logs to the landlord, if it appears the landlord will use them to support lease enforcement actions.

COMMUNITY ORGANIZING TECHNIQUES (Continued)

- **Enlist the help of others**

If it becomes apparent that the problem will not get resolved without more effort, it may be time for more aggressive action. This may take a higher level of organization and structure for the neighborhood.

Here are some approaches to apply more pressure:

- **Remind others to call**

After any action you take, call several other neighbors and ask them to consider doing the same thing, whether it is reporting an incident to police, calling the landlord, or speaking to a local official. Do not ask neighbors to call and repeat your report. Do ask neighbors to make an independent assessment of the problem you have observed and, if they also consider it problem, to report it as well.

- **Call the Lafayette Housing Authority**

If the residents are receiving public housing assistance, contact Lafayette Housing Authority and report the problems observed.

- **Call code inspection**

Call your local building maintenance code enforcement department to report maintenance code violations. Maintenance codes address exterior building structure and appearance, interior structure and appearance, as well as nuisances in yards such as animals, abandoned cars, trash, and neglect. Most properties with problem residents will have many violations of maintenance codes as well.

- **Consider calling the mortgage holder**

Sometimes the holder of the mortgage on a property can take action if the property is not in compliance with local law. Generally, if a financial institution is holding a mortgage on real property, the name of the institution will be listed on the title records, kept by the county, in the TC Records Office.

- **Write letters**

Citizens have the power to write letters to anyone: mayors, council members, chiefs of police, building inspectors, and many others. Your written documentation can add credibility and legitimacy to a problem that may not have received as much attention as it required. The first letters should be to those in a position to take direct action: a police officer, code inspector or other person tasked with addressing problems like the one you are working on. Don't write letters to managerial or political authorities until you have given the "chain of command" a chance to work. Do write letters to such authorities if it becomes apparent that the help your neighborhood needs is not forthcoming. When necessary, follow up calls or letters with personal appointments.

COMMUNITY ORGANIZING TECHNIQUES (Continued)

- **Two strategies of last resort**

Generally, these activities should be undertaken only by a well-organized group, and only when consistent, diligent work with police, neighbors, and city officials has made little or no progress.

- **Consider getting the media involved**

After making a concerted effort to get results through other means, discussing the problem with the media can be a way to focus more attention, and sometimes resources, on a problem. However, going to the media with your complaint before communicating clearly to the accountable organization can be counterproductive; it can cause justifiable resentment by public officials who feel “blind sided” with the media attention on an issue about which they had no prior warning.

Also, be aware that if the problem is associated with criminal drug or gang activity, attracting media attention that results in you being the featured interview subject can put you in a position where your personal safety is more at risk.

- **Start legal action against the property owner**

Citizens harmed by a nuisance property can also pursue lawsuits directly.

In the final analysis, even the most negligent property owners will take action when they are made to understand fully that it will cost more money to ignore the problem than it will to stop it. The legal options for this type of approach vary by the type of nuisance. In general, this is not an easy process to pursue and should be considered only as a last resort. Again, the vast majority of neighborhood problems can be solved without having to go through the time and expense of legal action.

**Having a decent neighborhood
is not a right.
It's a responsibility.**

John Campbell

[illegible]

Chapter 10: THE ROLE OF LAW ENFORCEMENT

Handle in progress criminal activity.

It has become clear that law enforcement, while important, can treat only the symptoms of this problem. It is time to address the root causes of crime in our city, and the process must involve all of us.

John Peyton, Mayor, Jacksonville, Florida

THE BASICS

- Know how to work with the system to ensure rapid problem resolution.
- Have a working knowledge of how your local law enforcement agency deals with drug and other illegal problems in residential neighborhoods.

DEFINING THE ROLES: LANDLORDS AND POLICE

It is a common misconception that law enforcement agencies can evict tenants involved in illegal activity.

In fact, only the landlord has the authority to evict; the police don't. The police may arrest people for *criminal* activity. But arrest, by itself, has no bearing on a tenant's right to possess your property.

Eviction, on the other hand, is a *civil* process. The landlord sues the tenant for possession of the property.

Note the differences in level of proof required:

- Victory in civil court requires "a preponderance of evidence"; the scales must tip, even slightly, in your favor.
- Criminal conviction requires proof "beyond a reasonable doubt"; a much tougher standard.

Therefore, you may find yourself in a position where you have enough evidence to evict your tenants, but the police do not have enough evidence to *arrest* them. Further, even if the police arrest your tenants, and a court convicts them, you still must *evict* them through a separate process, or, upon release, they have the right to return to and occupy your property.

DEFINING THE ROLES: LANDLORDS AND POLICE (Continued)

Many landlords are surprised to discover the degree of power they have to close drug rentals and eliminate their threat to the neighborhood.

As one police captain put it,

“Even our ultimate action against a drug operation in a rental, the raid and arrest of the people inside, will not solve a landlord’s problem, because the tenants retain a legal right to occupy the property. It’s still the tenants’ home until they move out or the landlord evicts them. And, as is often the case, those people do not go to jail, or do not stay in jail long.”

The person with the most power to stop the impact of an individual “drug house” operation in a neighborhood is the property owner.

Ultimately, the landlord can remove all tenants in a unit. The police can’t.

The only time law enforcement may get involved in eviction is to enforce the outcome of your civil proceeding.

For **example**

When a court issues a judgment requiring a tenant to move out and the tenant refuses, the landlord can go to the Tippecanoe County Sheriff and request that the tenant be physically removed. But until that point, law enforcement cannot get directly involved in the eviction process. However, the police may be able to provide information or other support appropriate to the situation, such as testifying at the trial, providing records of search warrant results, or standing by while you serve notice.

Again, criminal arrest and civil eviction are unrelated. The only connection being the possibility of subpoenaing an arresting officer or using conviction records as evidence in an eviction trial.

No matter how serious a crime your tenants have committed, eviction remains your responsibility.

WHAT TO EXPECT

Police officers are paid, and trained, to deal with dangerous criminal situations. They are experts in enforcing criminal law. They are *not* authorities in civil law.

As such, if you have tenants involved in illegal activity, while you should inform the police, do not make the common but inaccurate assumption that you can “turn the matter over to the authorities” and they will “take it from there.” Because landlord/tenant laws are enforced only by the parties in the relationship, when it comes to removal of a tenant, landlords are the “authorities.” With that in mind, you will get best results from the police by providing any information you can for their criminal investigation, while requesting any supporting evidence you can use for your civil proceeding.

In order to get the best cooperation, remember the rule of working with any bureaucracy:

The best results can be achieved by working one-on-one with the same contact.

Further, while this rule applies to working with any bureaucracy, it is especially important for working with a law enforcement agency where, if police personnel share information with the wrong people, they could ruin an investigation or even endanger the life of an officer. If an officer doesn't know you, the officer may be hesitant to give you information about suspected activity at your rental.

Your best approach, therefore, is to make an appointment to speak with a narcotics officer in person or to call your local law enforcement agency and arrange to speak directly with an officer who patrols the district where your rental is located. There can be a huge difference between the type of information available through a single, anonymous phone call and the amount of assistance possible if you arrange an in-person meeting.

The type of assistance possible will vary with the situation, from advice about what to look for on your property, to documentation and testimony in your eviction proceeding. But remember that it is not the obligation of the police to collect information necessary for you to evict problem tenants. While you can get valuable assistance from the police, don't wait for the police to develop an entire criminal case before taking action. If neighbors are complaining that you have drug activity or other dangerous situations in your rental, investigate the problem and resolve it as quickly as possible (see Chapter 9 on *Crisis Resolution*). Do not assume that the situation at your unit must be under control simply because the police have yet to serve a search warrant at the property.

CLOSURE AND FORFEITURE

There are federal laws that penalize owners who allow drug manufacturing or sale on their property, closure of such property for specified time periods, or even forfeiture of such property when the owner's complicity with the crime can be established.

While it is valuable for you to be aware of the range of the federal law, they are rarely used on properties that are actively managed. If you are screening your tenants with care, enforcing your rental agreements, and in apartments, encouraging a sense of healthy community among your good tenants, it is unlikely that such laws will ever be used against you or your property.



Chapter 11: SECTION 8 HOUSING CHOICE VOUCHERS

Screen your tenants

For landlords the message is simple. Bottom line, if you screen your tenants, Section 8 is a very good program.
Section 8 Program Director

THE BASICS

- Understand the legal and practical differences between publicly subsidized and private renting.
- Have the same success rate as can be expected with private rentals.

DEFINITION

The term “Section 8” refers to a number of federal subsidy programs that allow people of limited means to rent housing. The tenant pays a portion of the rent, while the federal government pays the rest. The Section 8 program is under the control of the U.S. Department of Housing and Urban Development (HUD) and administered locally by Public Housing Agencies (PHAs).

SOME BENEFITS

The most important benefit of participating in the Section 8 housing choice voucher program is that, if done responsibly, it helps the entire community. Those landlords who meet their responsibilities and require Section 8 tenants to do the same provide a valuable service by renting decent housing to good citizens who otherwise could not afford it. In addition to the satisfaction of serving the public good, landlords can enjoy additional direct benefits for their business: reliable rent. A large portion of the rent, and sometimes all of it, is guaranteed by the federal government. So, once the paperwork is processed, you’ll get the subsidy portion on time, every month. Also, assuming you screen your applicants responsibly, your tenants should be able to pay their portion on time since the amount is predetermined to be within their means.

“Fair Market Rent”

HUD and local Public Housing Agencies work to ensure that vouchers are sufficient to help the tenant meet the cost of renting in the area. For landlords who are not aware that higher rents are more typical, it may be a pleasant surprise to discover that fair market rent is higher than you have been charging. Those who are charging rates comparable to other nearby rentals will receive similar amounts under Section 8.

SOME MISCONCEPTIONS

- **Public Housing Agencies prescreen their participants along the same guidelines that a landlord should use.**

False

The PHA screens primarily for program eligibility (essentially income level) only. It is up to the landlord to screen tenants, make sure they can pay the remainder of the rent, check their rental record through previous landlords, and run all other checks the same way you would with a private renter.

You are not only legally permitted to, you are expected to. Screening applicants subsidized or not, is both your right and your responsibility: you are entitled to turn down Section 8 applicants who do not meet your screening criteria and accept those who do. Even guaranteed rent is not worth it, if drug-dealing tenants move in.

- **Landlords who rent to Section 8 tenants must use the Public Housing Agency's model lease.**

False

Revised HUD guidelines are designed to make it easier for the landlord to use the same lease that is used for non-subsidized tenants. However, the landlord will be required to use an approved lease addendum, provided by the local housing agency that adds to and/or modifies some of the conditions of the lease that the landlord typically uses with non-subsidized tenants.

Note also that the lease addendum and model leases provided by Public Housing Agencies are written to match HUD's requirements and *won't necessarily include all provisions you are accustomed to using*. It is therefore important to be aware of differences between the conditions of your Section 8 lease and/or lease addendum and the conditions under which you typically rent to non-subsidized tenants.

MISCONCEPTIONS ABOUT PUBLIC HOUSING

- **Tenants on Section 8 cannot be evicted**

False

This misconception arises primarily from confusion about the types of notices that can be served on a subsidized tenant. While it is true that, during the initial term of the lease, a Section 8 lease will forbid the use of “no-cause” or “non-renewal” notices, in general, all “for-cause” notices still apply. So, for example, if a tenant is violating the terms of the lease or damaging the property, a landlord can serve the applicable for-cause notice defined in the local landlord/tenant law. HUD regulations now permit landlords in many areas to use a lease that will permit “no-cause” terminations after the initial term of the lease. Check with the Lafayette Housing Authority to see whether such an approach is available to you.

Section 8 participants are bound by the same state and local landlord/tenant laws that govern non-subsidized rental relationships. In theory, the only difference should be the wording of the lease. However, there are instances when evictions can be more complicated with Section 8 tenants. Your best approach, as with any eviction, is to speak with an experienced landlord/tenant attorney before starting the process.

Whenever you evict a Section 8 tenant, send copies of the eviction paperwork to the Lafayette Housing Authority.

- **If you evict tenants for drug activity, the local Public Housing Agency will simply let the same people rent again elsewhere.**

False

HUD guidelines allow local PHAs to terminate assistance to tenants involved in the manufacture, sale, distribution, possession, or use of illegal drugs. The same guidelines also apply to tenants involved in violent criminal activity. Also, guidelines introduced in 1995 give local PHAs expanded options for terminating program participation for such problems as repeated and serious lease violations.

SECTION 8 RESOURCES

- **Lafayette Housing Authority: 100 Executive Dr Ste J, Lafayette, IN 47905; 765- 771-1300**
- **U.S. Department of Housing and Urban Development: <http://www.hud.gov/>**

TIPPECANOE COUNTY PROSECUTOR'S OFFICE



- **Rental Property Owners and Manager Training Program**
Keeping Illegal Activity Out of Rental Properties
- **WeTip Hotline ~ Call 1-800-78-CRIME to report illegal activity**
ALWAYS 100% Anonymous ~ 24 hours a day ~ Se Habla Español
- **WeTip School Safety Program and Hotline**
Call 1-800-78-CRIME to report any threats at schools
- **Anti-Gang Initiative**
Visit the Project Safe Neighborhoods Website: <http://www.tippecanoe.in.gov/PSN/>

PSN at Ninth Street Hill Neighborhood Association CRIME WATCH LAUNCH



Chapter 12: RESOURCES TO USE TODAY

Use the tools.

*We can't solve problems by using the same kind of thinking
we used when we created them.*

Albert Einstein

THE BASICS

- Use the tools
- Be PROACTIVE
- Keep up to date

The following are examples of the types of resources you may wish to use as you pursue your property management goals and suggestions for how to locate them.

PROJECT SAFE NEIGHBORHOODS WEBSITE: <http://www.tippecanoe.in.gov/PSN/>

- **Rental Property Owner and Manager Training**
 - <http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-310>
- **WeTip - Anonymous Hotline for Illegal Activity & School Safety Program**
 - <http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-311>
- **Anti-Gang Initiative: Gang Awareness, Identification & Eradication**
 - <http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-319>
- **Lafayette/West Lafayette/Tippecanoe County Community Resources**
 - <http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-316>
- **Greater Lafayette Neighborhood Associations & Rental Property Crime Watch**
 - <http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-309>
- **Project Safe Neighborhoods Community News**
 - <http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-318>
- **Greater Lafayette Project Safe Neighborhoods Federal, State, & Local Partners**
 - <http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-312>
- **Project Safe Neighborhoods Press Releases & Announcements**
 - <http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-313>

TENANT SCREENING SERVICES AND RESOURCES

While credit reports are standard, other services vary, and may include: providing records of courthouse eviction proceedings; tracking landlord complaints on problem tenants; search of public records for judgments, tax liens, or lawsuits; criminal background checks; employment verification; verification of address; and reference checking with the present and previous landlords. Your best bet is to contact a few different companies, interview them about their level of service (and fees), and check their references and reputations with other landlords.

National Tenant Network - Indiana

John Spafford
NTN-Indiana
P. O. Box 361087
Indianapolis, IN 46236
Phone: 317-722-3520
Toll-free: 877-722-3520
Fax: 317-722-3524
Toll-free fax: 877-722-3524
Email: John Spafford - NTN-Indiana@ntnonline.com
Website: www.ntnonline.com/

Tenant Check.Com, Inc.

Cheri Schroeder
1704 S. Green River Road
Evansville, IN 47715
Toll-Free: 800-830-0361
Member of National Credit Reporting Association, Inc.
Member of National Association of Professional Background Screeners
Website: www.tenantchk.com/

Tippecanoe County Court Records Check

<http://www.tippecanoe.in.gov/court/pa.urd/pamw6500-display>

Tippecanoe County Prosecutor's Bad Check List

<http://www.tippecanoe.in.gov/prosecutor/checks/index.asp>

Indiana State Police Full Criminal History Check

You may contact the Indiana State Police at 317-234-2631 to request a full criminal history check. The full criminal history covers from age 18 to current age and gives the entire detailed criminal history but it can only be requested by the individual that the history covers. Including an Indiana State Police Criminal History Report as part of the application process is acceptable, as long as the guideline is applied to all applicants.

Indiana State Police Online Limited Criminal History Check

A Limited Criminal History contains felonies and class A misdemeanor arrests within the state of Indiana. Completeness of this information is based upon county participation. As an alternative to performing a search online, a Limited Criminal History can also be obtained by mailing a request form to the Indiana State Police. Online Fee: \$15 per record subscribers, \$16.32 per record Credit Card

PROPERTY MANAGEMENT ASSOCIATIONS

- Tippecanoe Apartment Association
John Pfleeger, President, Mirus Property Management Group
PO BOX 6552
Lafayette, IN 47903
Phone: 765-742-5096
E-mail: jpfleeger@mirusmg.com
Web site: <http://tippaptassociation.org/>
Member of The Indiana Apartment Association
Member National Apartment Association
- Indiana Apartment Association
Lynne Sullivan, CAE, Association Executive
9100 Keystone Crossing, Suite 725
Indianapolis, IN 46240
Phone: 317-816-8900
Fax: 317-816-8911
E-mail: lynne@iaaonline.net
Web site: www.iaaonline.net
Member National Apartment Association
Apartment Association of Indiana: <http://www.aptassociationindiana.org>

NEIGHBORHOOD/APARTMENT ASSOCIATIONS

For help in setting up a neighborhood association, contact an Aimee Jacobsen, Community Development Department Head, City of Lafayette at 765-807-1090 or City of West Lafayette at 765-775-5100.

CRIME PREVENTION: NEIGHBORHOOD/RENTAL CRIME WATCH PROGRAMS¹

A Neighborhood/Rental Watch is a crime prevention program that stresses education and common sense (Stegenga, 2000). It teaches citizens how to help themselves by identifying and reporting suspicious activity in their neighborhoods. In addition, it provides citizens with the opportunity to make their neighborhoods safer and improve the quality of life. Crime watch groups typically focus on observation and awareness as a means of preventing crime and employ strategies that range from simply promoting social interaction and "watching out for each other" to active patrols by groups of citizens (Yin, et al., 1976).

Most crime prevention groups are organized around a block, a neighborhood, or a rental complex and are started with assistance from a law enforcement agency. All crime watches share one foundational idea: that bringing community members together to reestablish control of their neighborhoods promotes an increased quality of life and reduces the crime rate in that area.

As Rosenbaum (1988) put it ". . . if social disorganization is the problem and if traditional agents of social control no longer are performing adequately, we need to find alternative ways to strengthen informal social control and to restore a "sense of neighborhood".

Involving community members in watch programs decreases opportunities for criminals to commit crime rather than attempting to change their behavior or motivation.

To start a rental crime watch program at your property

Contact the community liaison officer at the Lafayette and West Lafayette Police Departments, the Sheriff at the Tippecanoe County Sheriff's Department, the Clarks Hill Police or Dayton Police.

Starting your own Crime Watch Program – National Sheriffs Association¹

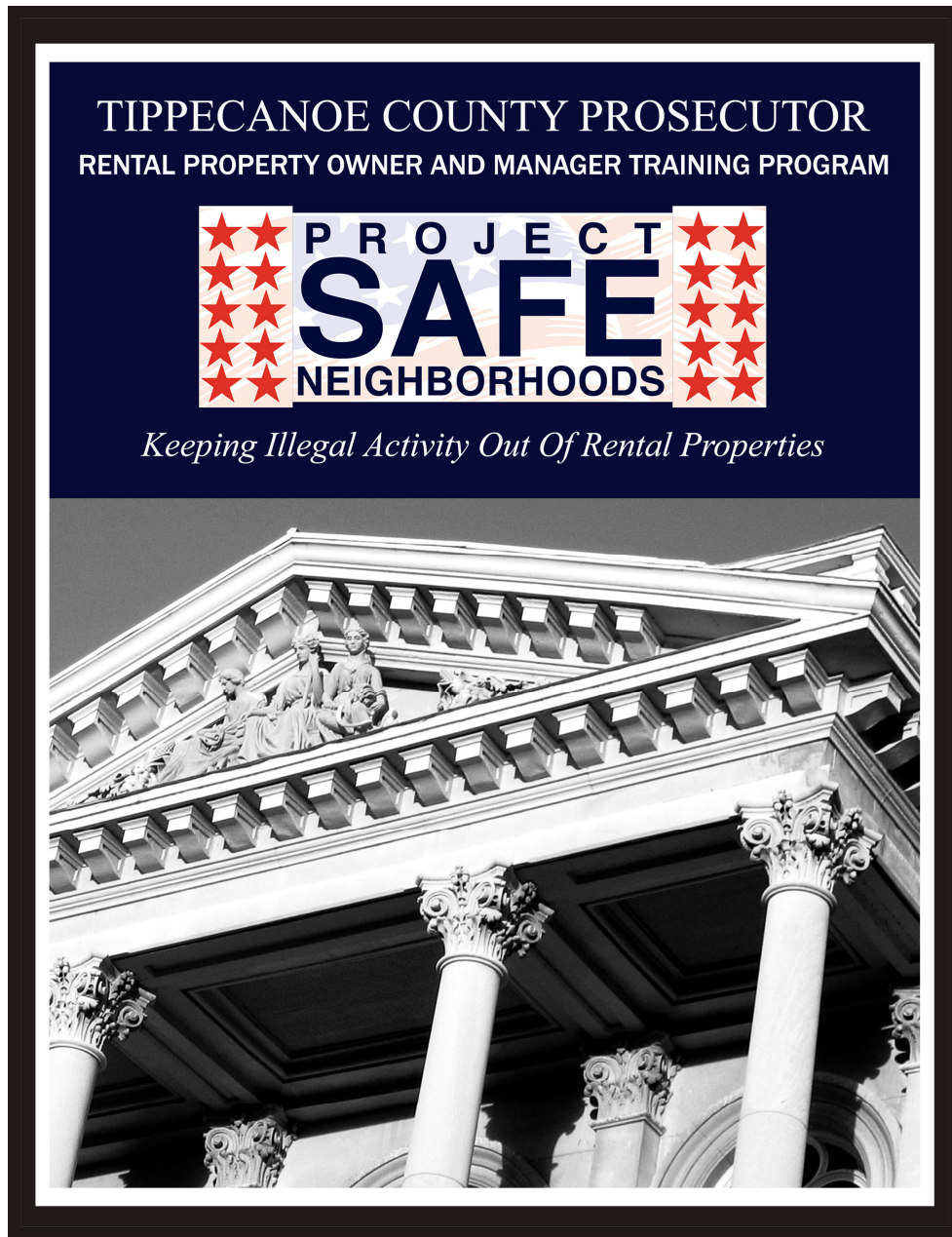
You can register your neighborhood/rental property crime watch program at www.usaonwatch.org/

Register Your Watch Group in 5 Easy Steps:

- 1 – Recruit and Organize as many neighbors as possible
- 2 – Contact your local law enforcement agency and schedule a meeting
- 3 – Discuss community concerns and develop an action plan
- 4 – Hold regular meetings and train
- 5 – Implement a phone tree and take action steps

¹ National Sheriffs' Association, Register your own neighborhood watch at <http://www.usaonwatch.org/Registration/RegSelectAnLEA.php>.

**Tippecanoe County
Rental Property Owner and Manager Manual
Appendices
NOT INCLUDED IN ONLINE EDITION**



We request that any error or significant omissions be noted and forwarded to Kathryn J. Redd, *PROJECT SAFE NEIGHBORHOODS Anti-Gang Initiative Director*, Tippecanoe County Prosecutor's Office, 301 Main Street, Lafayette, Indiana, 47901-1358; kredd@tippecanoe.in.gov; so that corrections can be made in future versions.

Useful TCPSN Websites:

•Tippecanoe County Project Safe Neighborhoods:

<http://www.tippecanoe.in.gov/PSN/>

•PSN Rental Property Owner and Manager Training Program:

<http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-310>

•WeTip Anonymous Hotline for Illegal Activity and School Safety Program:

<http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-311>

•PSN Anti-Gang Initiatives ~ Gang Awareness, Identification, Eradication and Rehabilitation:

<http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-319>

•Greater Lafayette Community Resources:

<http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-316>

•PSN JUST FOR TEENS:

<http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-327>

•Greater Lafayette Neighborhood Associations and Rental Crime Watch Programs:

<http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-309>

•Project Safe Neighborhoods News:

<http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-318>

•PSN Press Releases and Announcements:

<http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-313>

•U.S. Attorney, Northern District of Indiana:

<http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-314>

•United States Department of Justice:

<http://www.tippecanoe.in.gov/PSN/division.asp?fDD=45-320>

TIPPECANOE COUNTY PROSECUTOR



Fighting crime, One neighborhood at a time

1-800-78-CRIME



Patrick K. Harrington

Tippecanoe County Prosecutor

Tippecanoe County Courthouse

301 Main Street

Lafayette, Indiana 47901-1358

Phone: (765) 423-9170

Fax: (765) 423-9239

TIPPECANOE COUNTY

RENTAL PROPERTY OWNER AND MANAGER TRAINING PROGRAM

WETIP HOTLINE *Anonymous Illegal Activity Reporting*

WETIP SCHOOL SAFETY PROGRAM & HOTLINE

ANTI-GANG INITIATIVES



Keeping Illegal Activity Out of Tippecanoe County

Kathryn J. Redd

Project Safe Neighborhoods Anti-Gang Initiatives Director

TIPPECANOE COUNTY PROSECUTOR'S OFFICE

<http://www.tippecanoe.in.gov/PSN/>